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**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 2 November 2004**

**Mardi 2 novembre 2004**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 November 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### OTTAWA-CARLETON DETENTION CENTRE

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** Prisoners jam-packed in cells, sleeping on floors, no exercise or showers for days, deprived of proper legal counsel, and housed in filthy, bug-infested cells. No, this is not a third-world prison; it's the Ottawa-Carleton Detention Centre.

One of the reasons that conditions there are so bad is the Liberal government's decision to close the Pembroke Jail and the minister's failure to consider locally developed options that would have kept the facility open in Pembroke to serve Renfrew county. As a result of the indifference of the Minister of Community Safety and Correctional Services to the situation, we now have what the Ottawa Citizen calls a "meat truck" ferrying prisoners from Ottawa to Pembroke and back, this at an enormous cost to taxpayers.

It has also created a logistical mess and deplorable conditions under which inmates are transported. One such instance saw a 17-year-old female, a ward of the children's aid society due to sexual abuse, transported with adult male prisoners who made sexual comments during the trip and again while in adjacent holding cells.

The minister was warned repeatedly by myself and other stakeholders that these things would happen. Our warnings have in fact come true. There are many horror stories.

I urge the minister to revisit the issue now and give favourable consideration to a locally driven proposal to construct and operate a remand centre in the city of Pembroke.

BILL McMEEKIN

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Four years ago, almost to the day, my father died. His name was Bill. He was a veteran. This statement is dedicated to my dad and to the countless other Canadian men and women who were proud to stand in the defence of freedom:

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 2 novembre 2004

He was getting old and paunchy and his hair was falling fast,  
And he sat around the Legion, telling stories of the past.  
Of a war that he had fought in and the deeds that he had done,  
In his exploits with his buddies; they were heroes, every one.

And tho' sometimes, to his neighbours, his tales became a joke,  
All his Legion buddies listened, for they knew whereof he spoke.  
But we'll hear his tales no longer for old Bill has passed away,  
And the world's a little poorer, for a soldier died today.

He will not be mourned by many, just his children and his wife,  
For he lived an ordinary and quite uneventful life.  
Held a job and raised a family, quietly going his own way,  
And the world won't note his passing, though a soldier died today.

A politician's stipend and the style in which he lives  
Are sometimes disproportionate to the service that he gives.  
While the ordinary soldier, who offered up his all,  
Is paid off with a medal and perhaps, a pension small.

If we cannot do him honour while he's here to hear the praise,  
Then at least let's give him homage at the ending of his days.  
Perhaps just a simple headline in a paper that would say,  
Our country is in mourning, for a soldier died today.

### HOLOCAUST EDUCATION WEEK

**Mr Cameron Jackson (Burlington):** Shalom. I rise to inform all members of the House that this week is Holocaust Education Week, sponsored by the United Jewish Appeal Federation of Greater Toronto.

Until November 11, more than 125 events will be held that will deepen our understanding of the Holocaust of 1933 to 1945 and what is to be learned by this extraordinary human tragedy in which six million Jews and others were murdered by the Nazis and their sympathizers.

Although we in North America experienced the terror of September 11 once, the people of Israel live in fear of similar attacks every day. But today, more than ever before since the Holocaust, anti-Semitic and anti-Israeli attacks are on the rise at an alarming rate around the world, with Ontario as no exception. A Globe and Mail article of June 2 affirmed that the international Jewish community and its institutions are the most frequent targets for bigots.

Muslims in my community were shocked and saddened when the national president of the Canadian Islamic Congress recently affirmed his belief that Jews in



Israel, although not in military uniform, are legitimate targets of terrorist attack.

Today, I stand with my leader, John Tory, and the Progressive Conservative caucus in rededicating ourselves to the struggle against anti-Semitism, hatred and intolerance of all kinds. The lessons of the Holocaust are clearly ones that need to be taught again and again in Canada and, indeed, around the world so that the cry, "Never again," may one day become a reality.

### COMMUNITY-BASED MENTAL HEALTH SERVICES

**Ms Shelley Martel (Nickel Belt):** The recent dismissal of Dr Koka from the board of the Northeast Mental Health Centre has forced the government to deal with local governance of community mental health in the Sudbury/Manitoulin/East Algoma district.

It's a shame that it took a terrible decision by the board for the matter to finally get the government attention that it deserves. You see, on June 17, Ursula Sauve, the chair of Mental Health Advocates, wrote to Minister Smitherman. She advised that mental health service delivery, as per recommendations from the Health Services Restructuring Commission, were not working in the best interests of local clients. She urged the minister to consider a new governance model to permit local control over district mental health services, and to do so as soon as possible. Regrettably, that did not occur at that time.

Rumour has it that the minister is now committed to returning district mental health services previously run by Network North to a local board. If that's the case, then the minister should announce publicly that this is the direction he'll pursue and the community should be told what the time frame is for the change in governance to occur.

Two other issues need to be dealt with on a priority basis. Firstly, the minister should fully review the recommendation of the Health Services Restructuring Commission regarding the location of 31 complex care beds for mental health patients. This is a very divisive issue between North Bay and Sudbury, and it needs to be resolved positively.

Secondly, the minister must immediately review the level of funding needed to properly run mental health services in the Sudbury/Manitoulin/East Algoma district. It won't help at all to get local control over services that are falling apart. We need the funding necessary to deal with mental health clients in Sudbury/Manitoulin/East Algoma.

1340

### WHISTLER CUP

**Mr Kevin Daniel Flynn (Oakville):** It is with great pleasure that I rise today to recognize some visitors in the members' gallery who have contributed, and are contributing, so much to skiing, not just in Ontario but in Canada. They're actually behind me in the east gallery.

Today we are visited by Ken Read, president of Alpine Canada, and who many of you will know as a member of the Crazy Canucks; John Mealey, president of Alpine Ontario; and Mark Kristofic, director of Alpine Ontario. With them are members of the Ontario team—and their parents—who competed last March at last year's junior world championship, known as the Whistler Cup. I'd like to introduce Ben Williams, Madison Irwin, Trevor Jackson, Laura Rozinowicz, Shannon Campbell, Krystyn Peterson, Marissa Riopelle and Mike Dea.

Each of these athletes has dedicated a huge amount of time and effort to achieve the necessary skills and strength to be the best in Ontario. Their parents are the key sources of encouragement and funding, while their coaches provide the training, both physical and mental, to go for the gold.

For the above reasons, I am pleased that they are here today—athletes, parents and coaches—to be recognized by this House, not only for their individual efforts and achievements but for the outstanding efforts they made in representing us, the people of Ontario, at the Whistler Cup this year. They deserve our applause.

### BSE

**Mr Ernie Hardeman (Oxford):** I will use my time to address the Minister of Agriculture's insinuation yesterday that the vice-president of the Ontario Federation of Agriculture and I are out of touch with Ontario's farmers, only because we criticized the minister's slow distribution of BSE funding. Only a desperate act to deflect blame would cause the minister to lash out at the vice-president of the largest farm organization in Ontario and suggest that he doesn't know what is happening in his own membership and that he needs to pick up the phone and call cattlemen.

The minister went on to suggest I needed to pick up the phone and get it straight from the cattlemen's mouth as well. I want to assure the minister that I have spoken to the cattlemen, individual cattle farmers who first waited for an announcement from the province and then continued to wait for an application process to develop. But I didn't need to pick up the phone to call them; they called me. They called to ask why it was taking the minister so long to reveal the details of the Ontario program.

The minister tried to tell us yesterday that a three-month wait was acceptable. Well, I'm here to tell you that it wasn't acceptable to the farmers I talked to and that it obviously wasn't acceptable to the farmers the vice-president of the OFA talked to.

Minister, why don't you pick up the phone and talk to a farmer or two? Perhaps then you will realize that three months is too long for desperate farmers to wait, or are you frightened you might have to listen to some other things farmers don't like about your administration? I think that when you speak to the individual farmers, you will find out that the president of the Ontario Federation of Agriculture and the member from Oxford were really right all along.



## PATHFINDER PROGRAM

**Mr Lou Rinaldi (Northumberland):** Yesterday was a good day for DNA research and a good day for the people of Peterborough and Trent as well. Through Ontario's rural economic development program, which invests in projects that support sustainable rural economies and community partnerships, the government announced a \$1.3-million investment into a DNA education and research network known as Pathfinder, which has its headquarters in Peterborough and Trent.

This project will develop infrastructure needed to commercialize technologies related to DNA profiling, forensics, robotics, geomatics, bioinformatics, natural resources management and environmental sciences. The project also expects to create up to 2,500 direct jobs and 3,000 indirect jobs over the next 10 to 25 years.

Bonnie Patterson, president and vice-chancellor of Trent University, said, "Through the Pathfinder program, the provincial government has demonstrated leadership by supporting Peterborough's cluster initiative, which will add to Ontario's prosperity."

Today's investment means that researchers will be able to work in modern, fully equipped laboratories. It means they will have the space needed to conduct their research the way they want, as opposed to having to alter their research because of lack of space.

Yesterday's announcement not only means better jobs for Ontarians; yesterday's announcement is ensuring we have a better understanding of how systems work.

## GASOLINE TAX

**Mrs Liz Sandals (Guelph-Wellington):** I have a message for the member from Simcoe North. Despite what he said in the House yesterday, I'd like him to know that rural communities like Blind River, Chapleau, Collingwood, Huntsville, Ingersoll, Kawartha Lakes, Leamington, Meaford, Midland, Owen Sound, Uxbridge—the list goes on—also benefit from our government's delivery of the gas tax. And, as I'm sure the member knows, even his hometown of Orillia received a portion of the gas tax. I hope the member hasn't forgotten that; the mayor of Orillia hasn't forgotten. The mayor says the gas tax "means an awful lot."

We have lots of other accomplishments for rural Ontario. We've established the rural economic development program. We've delivered approximately \$153 million to farmers for BSE recovery. We've put a moratorium on closing rural schools. We're working on expanding biodiesel projects.

I certainly don't think I should have to remind the member of his record while he sat in government. You had four different agriculture ministers between 1999 and 2003. You closed at least 85 rural schools. You lost more than a thousand farmers per year.

I would like the member to know that, unlike his government, we're not turning our backs on rural communities.

HURON PERTH  
HEALTHCARE ALLIANCE

**Mr John Wilkinson (Perth-Middlesex):** For the opposition it must be true that ignorance is bliss. Yesterday the member for Erie-Lincoln, perhaps distracted by his 37th birthday, stated to this Legislature: "The Huron Perth Healthcare Alliance is closing 47 hospital beds."

**Mr Ted Chudleigh (Halton):** On a point of order, Mr Speaker: It's the tradition in this House that members' statements are not used to criticize other honourable members.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I didn't hear the criticism, but I listen very carefully.

The member for Perth-Middlesex.

**Mr Wilkinson:** Thank you, Mr Speaker. I trust you will give me some diversion on time.

I can only assume that the member in question must be suffering from the same incompetent briefings that plague his neophyte leader, John Tory. Rather than scare-mongering, the member should have contacted the CEO of this multi-site hospital and checked the facts.

This is what CEO Andrew Williams wrote to me yesterday:

"John,

"As discussed Friday last, we will not be implementing any layoffs, divestments or bed closures without government approval....

"Over the next number of weeks and months I anticipate a lot of rumour and innuendo. My only request is that if these rumours differ from what I have told you, please assume that they are wrong.

"If you want me to speak with the MPP who thinks he knows what is going on with the alliance when, in fact, he doesn't, just let me know."

After reading about the incompetent research that sticks to John Tory and his caucus like negative-option billing, I can only assume that the peekaboo Leader of the Opposition from Bay Street will pull a Donald Trump and say to his research staff, "You're fired."

**Mr Garfield Dunlop (Simcoe North):** On a point of order, Mr Speaker: I want to mention to the member from Guelph-Wellington that I have 11 municipalities in my riding and they all have written—

**The Speaker:** That is not a point of order.

*Interjections*

**The Speaker:** Order. We started off fairly well, but I caution all members not to use members' statements to criticize each other. This has been done on all sides, and I caution members not to use that strategy in the future.

## VISITORS

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: In the west public gallery we have a delegation from the People's Republic of China, representing 15 provinces from that great country. We have special representative Gary Yuan, the general director of



policy in the Ministry of Finance in China, and Mr Wang, the deputy director of non-tax revenue from the People's Republic of China.

Welcome to Canada.

## INTRODUCTION OF BILLS

### HOME FIRE SPRINKLER ACT, 2004 LOI DE 2004 SUR LES EXTINCTEURS AUTOMATIQUES DOMICILIAIRES

Mrs Jeffrey moved first reading of the following bill:

Bill 141, An Act to amend the Building Code Act, 1992 respecting home fire sprinklers / Projet de loi 141, Loi modifiant la Loi de 1992 sur le code du bâtiment en ce qui a trait aux extincteurs automatiques domiciliaires.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mrs Linda Jeffrey (Brampton Centre):** The Home Fire Sprinklers Act, 2004, is aimed at preventing loss of life due to fire by ensuring that new homes are constructed with fire sprinklers.

### HIGHWAY TRAFFIC AMENDMENT ACT (SCHOOL CROSSING GUARDS), 2004

### LOI DE 2004 MODIFIANT LE CODE DE LA ROUTE (PASSEURS SCOLAIRES)

Mr Brown moved first reading of the following bill:

Bill 142, An Act to amend the Highway Traffic Act with respect to school crossing guards / Projet de loi 142, Loi modifiant le Code de la route en ce qui a trait aux passeurs scolaires.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Michael A. Brown (Algoma-Manitoulin):** This bill amends the Highway Traffic Act to expand the function of school crossing guards to cover directing the movement of all persons across a highway, not just the movement of children, as at the present time.

I would like to thank the council of the township of Shedden and, in particular, councillor Debbie Solomon for bringing this matter to the attention of the House.

## DEFERRED VOTES

### ONTARIO HERITAGE AMENDMENT ACT, 2004

### LOI DE 2004 MODIFIANT LA LOI SUR LE PATRIMOINE DE L'ONTARIO

Deferred vote on the motion for second reading of Bill 60, An Act to amend the Ontario Heritage Act / Projet de

loi 60, Loi modifiant la Loi sur le patrimoine de l'Ontario.

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Horwath, Andrea	O'Toole, John
Baird, John R.	Hoy, Pat	Oraziotti, David
Bartolucci, Rick	Jackson, Cameron	Parsons, Ernie
Bentley, Christopher	Jeffrey, Linda	Peters, Steve
Berardinetti, Lorenzo	Kennedy, Gerard	Phillips, Gerry
Bradley, James J.	Kormos, Peter	Prue, Michael
Broten, Laurel C.	Kular, Kuldip	Qaadri, Shafiq
Brown, Michael A.	Kwinter, Monte	Ramsay, David
Brownell, Jim	Lalonde, Jean-Marc	Rinaldi, Lou
Bryant, Michael	Leal, Jeff	Ruprecht, Tony
Cansfield, Donna H.	Levac, Dave	Sandals, Liz
Caplan, David	Marsales, Judy	Sergio, Mario
Chambers, Mary Anne V.	Martel, Shelley	Smith, Monique
Churley, Marilyn	Martiniuk, Gerry	Sorbara, Greg
Colle, Mike	Matthews, Deborah	Takhar, Harinder S.
Cordiano, Joseph	Mauro, Bill	Tascona, Joseph N.
Crozier, Bruce	McMeekin, Ted	Van Bommel, Maria
Delaney, Bob	McNeely, Phil	Watson, Jim
Dhillon, Vic	Meilleur, Madeleine	Wilkinson, John
Di Cocco, Caroline	Miller, Norm	Wilson, Jim
Duguid, Brad	Milloy, John	Witmer, Elizabeth
Duncan, Dwight	Mitchell, Carol	Wong, Tony C.
Flynn, Kevin Daniel	Mossop, Jennifer F.	Wynne, Kathleen O.
Gerretsen, John	Munro, Julia	Zimmer, David

**The Speaker:** All those opposed, please rise.

#### Nays

Barrett, Toby	Hardeman, Ernie	Ouellette, Jerry J.
Chudleigh, Ted	Hudak, Tim	Runciman, Robert W.
Dunlop, Garfield	Klees, Frank	Sterling, Norman W.
Flaherty, Jim	Murdoch, Bill	Yakabuski, John

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 72; the nays are 12.

**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading?

**L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones):** Je voudrais que ce projet de loi soit référé au comité permanent de la justice. I would like to ask that this bill be referred to the standing committee on justice policy.

**The Speaker:** So ordered.

Deferred votes.

*Interjections.*

**The Speaker:** Order. Minister, I'd like some order. Member from Niagara Centre, I'd like some order.

**Mr Peter Kormos (Niagara Centre):** Merci. Thank you, Speaker.

**The Speaker:** Thank you, too.

MINISTRY OF CONSUMER AND  
BUSINESS SERVICES STATUTE LAW  
AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT DES LOIS  
EN CE QUI CONCERNE LE MINISTÈRE  
DES SERVICES AUX CONSOMMATEURS  
ET AUX ENTREPRISES

Deferred vote on the motion for second reading of Bill 70, An Act to amend various Acts administered by or affecting the Ministry of Consumer and Business Services / Projet de loi 70, Loi modifiant diverses lois appliquées par ou touchant le ministère des Services aux consommateurs et aux entreprises.

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1403 to 1408.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

**Ayes**

Arnott, Ted  
Arthurs, Wayne  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bradley, James J.  
Brotten, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Chudleigh, Ted  
Churley, Marilyn  
Colle, Mike  
Cordiano, Joseph  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Flaherty, Jim  
Flynn, Kevin Daniel  
Gerretsen, John

Hardeman, Ernie  
Horwath, Andrea  
Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Jeffrey, Linda  
Kennedy, Gerard  
Klees, Frank  
Kormos, Peter  
Kular, Kuldip  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Martel, Shelley  
Martiniuk, Gerry  
Matthews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Miller, Norm  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
Murdoch, Bill  
O'Toole, John

Oraziotti, David  
Ouellette, Jerry J.  
Parsons, Ernie  
Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Prue, Michael  
Qaadri, Shafiq  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Runciman, Robert W.  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Sorbara, Greg  
Sterling, Norman W.  
Takhar, Harinder S.  
Tascona, Joseph N.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wilson, Jim  
Witmer, Elizabeth  
Wynne, Kathleen O.  
Yakabuski, John  
Zimmer, David

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1412 to 1417.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

**Ayes**

Arthurs, Wayne  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bradley, James J.  
Brotten, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Duguid, Brad  
Duncan, Dwight  
Flaherty, Jim  
Flynn, Kevin Daniel

Gerretsen, John  
Hoy, Pat  
Hudak, Tim  
Jeffrey, Linda  
Kennedy, Gerard  
Kular, Kuldip  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Miller, Norm  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Oraziotti, David  
Parsons, Ernie

Patten, Richard  
Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Qaadri, Shafiq  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Sorbara, Greg  
Sterling, Norman W.  
Takhar, Harinder S.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those opposed, please rise one at a time.

**Nays**

Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Chudleigh, Ted  
Dunlop, Garfield  
Hampton, Howard  
Hardeman, Ernie

Horwath, Andrea  
Jackson, Cameron  
Klees, Frank  
Kormos, Peter  
Martel, Shelley  
Martiniuk, Gerry  
Munro, Julia

Murdoch, Bill  
O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.  
Tascona, Joseph N.  
Wilson, Jim  
Witmer, Elizabeth

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 65; the nays are 21.

**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading?

**Hon Jim Watson (Minister of Consumer and Business Services):** I move that this bill be referred to the standing committee on general government.

**The Speaker:** So ordered.

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 86; the nays are 0.

**The Speaker:** I declare the motion carried.

**Hon Jim Watson (Minister of Consumer and Business Services):** I ask that this bill be referred to the standing committee on justice policy.

LIQUOR LICENCE  
AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI  
SUR LES PERMIS D'ALCOOL

Deferred vote on the motion for second reading of Bill 96, An Act to amend the Liquor Licence Act / Loi modifiant la Loi sur les permis d'alcool.

ORAL QUESTIONS

HOSPITAL FUNDING

**Mr Robert W. Runciman (Leader of the Opposition):** My question is for the Acting Premier. Today, we see more evidence of your Liberal pay-more, get-less health care plan. In today's London Free Press, there's a scathing indictment of your government's botched plans for Ontario's hospitals. We now know that the London Health Sciences Centre has submitted a plan to your government calling for the elimination of 130 acute care beds and will be forced to cut 380 jobs. St Joseph's



hospital has submitted a plan calling for 218 beds to be cut, along with 420 staff. All told, the London hospital said today that your Liberal pay-more, get-less health care strategy will result in 4,000 fewer day surgeries.

Can you guarantee to this House today that not one hospital bed will be closed in London and that patients currently on the waiting lists for surgery will not see their surgeries cancelled as a result of your underfunding?

**Hon Gerard Kennedy (Minister of Education):** What I can guarantee this House and, more importantly, the patients in London and elsewhere in this province is that health care is going to continue doing what it's been doing since we took over this government, which is to get better and better. It's going to be improving because it is being handled by a government that believes in public health care and that doesn't do what the Tory government did and play around with private ownership, and because we have funded hospitals in this province 4.3% more than last year, including the services in London.

Now, I know that a government that only ever saw a blunt instrument when it came to government, that cut out 5,000 hospital beds, doesn't recognize when a management plan is being brought to bear. We expect to hear from and talk to hospitals around the province.

I can tell you that our health minister has in place a plan to ensure the highest and increasing quality of patient care. That's exactly the outcome we expect to see in London and in every other community in this province.

**Mr Runciman:** We know this government's approach to hospitals. We saw it by Minister Smitherman's response today: Attack the hospital and accuse them of crying wolf. That's your approach to the hospital sector.

This government spends a lot of time talking about the supposed investments they've made in hospitals this year. We now know this is bafflegab. It means nothing in reality. We see the world-renowned London hospitals being forced to make severe cuts to front-line patient care.

You claim you've increased hospital operating budgets by 4.3% this year. In reality, they only received 1.8%, according to the Ontario Hospital Association. In fact, London received 0.2% of their funding request, while St Joseph's received a 1.4% increase.

Minister, you can't hide from the realities facing our hospitals. You have a responsibility to show leadership and act. Can you do that? Can you do that today, guarantee there will be no hospital bed closures and no cuts to patient services in London and across Ontario?

**Hon Mr Kennedy:** Let's see what we're offering the patients of Ontario. He speaks about bafflegab. We're spending \$700 million more than was in your Magna budget last year. When it comes to offering services, this is the same government that cut \$557 million over two years. They closed 28 hospitals.

So in terms of what patients can look to and depend on, they can depend on an approach to hospitals that makes sure we get sustainable health care and increasing quality. What we hear from the members opposite is in

complete and utter contradiction to what they did when they were in power. The patients of this province know where the guarantor of high-quality care is; it rests with this Premier, with this health minister and with everyone in this government.

**The Speaker (Hon Alvin Curling):** Final supplementary.

**Mr Runciman:** I didn't see the London-area MPPs applauding that response.

Three years ago, when the Liberals were in opposition, the MPP for Elgin-Middlesex-London, Mr Peters, spoke in the House and called on the three London-area MPPs to speak up on behalf of London's hospitals. He accused the then Conservative government MPPs of abandoning their constituents and putting lives at risk.

That effort to scare Londoners is coming back to bite Mr Peters and your promise-breaking government. Your London-area MPPs are clearly puppets on a string, intimidated by a bully Minister of Health. If that is not the case, let's hear from them.

Minister, will your government do the right thing, show leadership and guarantee that not a single hospital bed will close in London?

**Hon Mr Kennedy:** To hear that coming from a former minister of a government that cut 5,000 hospital beds out from under, that parked elderly people in the hallways of emergency rooms all across this province—

*Interjections.*

**The Speaker:** Order. Could I have some order, please. I'm getting a lot of noise from the opposition, and I can't hear the responses.

**Mr John R. Baird (Nepean-Carleton):** They're cowering in a cave like Osama bin Laden.

**The Speaker:** Member from Nepean-Carleton, that means you too.

**Hon Mr Kennedy:** The member is sitting next to a former health minister who stood in this House and said they would not cut children's heart surgeries in London and then cut those services.

There needs to be a government that is prepared to help make hospital services and health care services work in this province, for now and in the future. We provided the funding—

*Interjections.*

**The Speaker:** Order. I would like some order, please. Could you put that away, please. Thank you very much.

## WASTE DISPOSAL

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** To the Acting Premier: Democratic hopeful John Kerry plans to review the Toronto-Michigan trash agreement within the first 120 days of his presidency. And with the election polls showing a dead heat, that means theoretically that we have a 50% chance of a garbage pileup at the Michigan border in three months. Regardless of who wins, the countdown has begun: Republican senators and state representatives in Michigan don't want Toronto trash either.

Acting Premier, your government has had a year to take action on this front. The clock is ticking. What is the government's plan?

**Hon Gerard Kennedy (Minister of Education):** Well, it's interesting to hear the member opposite predicting a Democratic win down south and wanting to speculate on this eventuality. But I say to the member opposite that rather than panic, he should understand that each municipality and every waste hauler has their own responsibility for their waste management. They have contracts. They've issued approvals in Toronto, Owen Sound, Peel, York and Durham. And now, Toronto and Durham have enacted bans on the recyclables that would have potentially kept it from going across the border, and I understand that York region is planning to do the same.

I would say to you that the municipalities are doing, as they should, everything they can to make sure there isn't going to be any imminent problem in terms of getting the waste across the border as their contracts require to be done.

**Mr Barrett:** Acting Premier, as I indicated, state senators and state representatives on the Republican side don't want the garbage either. Your government has boasted of a commitment to waste diversion. It is easy to divert waste when you just send all your problems south of the border.

Today I did not hear of a real government plan for a Toronto trash tie-up. Acting Premier, following a border closure, just where will this garbage be heading?

**Hon Mr Kennedy:** I'm not going to speculate on the outcome of the election. We wish both parties well. And in terms of where the waste is going, I think it deserves about as much attention. We are not looking at something of that order happening. We understand that the city of Toronto has contingency plans in place, and they have set, as they should, a 60% waste diversion target. We have, from our standpoint, made more progress in management planning around waste disposal in six months than you guys did in 10 years. So I'd say that the residents of the affected areas of transport or garbage disposal are in better shape than they have been for some time, and there are the proper efforts underway to divert the waste, which is a more sustainable answer in the first place than carting it anywhere.

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**Mr Barrett:** In today's Toronto Star, Minister Dombrowsky is quoted as saying that, in an emergency situation, the province has some responsibility and ability to manage it, and that there would be short-term temporary landfill at undetermined sites in Ontario.

Acting Premier, are you going to wait until it's too late and give some undetermined municipality no choice but to be dumped on? Is it going to be London? Will it be Halton, Cayuga? When is your government going to let people know just what your government has determined? What is your government thinking?

**Hon Mr Kennedy:** We're not just thinking, we're developing a comprehensive waste disposal strategy. We've got an expert panel that's looking at how we can site waste disposal sites responsibly and meet environ-

mental requirements. We are developing that and working on the EA process that affects it. We are taking this step by step. We are prepared to deal with every exigency. And we would say to the members opposite that they failed in their nine years of government to come up with any reasonable answers to waste disposal in the province. They did nothing as a government, and they're simply prepared to carp on anything that comes up that questions what they've done. But we're doing what needs to be done. We're taking responsible action to make sure this can be dealt with.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Question period has started off pretty noisily. If I'm not able to get some order, I'm going to start naming people so I can hear the questions and responses. New question.

## HOSPITAL FUNDING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. You are forcing hospitals across Ontario to develop brutal cutback plans. The latest victim of your misguided attack on community hospitals are the London Health Sciences Centre and St Joseph's Health Care centre, which together will have to close 348 beds and eliminate 1,000 hospital jobs.

A year ago, on September 3, during the election campaign, Dalton McGuinty said, "We will bring stability to our hospitals by providing adequate multi-year funding." Is this what Premier McGuinty meant by his promise: close 348 hospital beds and lay off a thousand hospital workers?

**Hon Gerard Kennedy (Minister of Education):** Perhaps the member opposite doesn't want the health care system to work. Perhaps he isn't prepared to look at exactly what it takes to make hospitals and the other components of the health care system work better. Some \$43.3 million has been invested in a variety of health care services in the London area—hospitals, long-term-care homes, home care—to make sure that patients get the kinds of responses they need, where they need them.

For the member opposite to suggest that simply because a management plan has been worked on with the local hospital authority to make sure that we can have sustainable health care is going to lead to the consequences he's talking about simply suggests that the member opposite is less interested in making the health care system work and more interested in supporting some of those who aren't working quite as pointedly and as diligently at seeing that patients are protected all of the time. We'd put to you that the Minister of Health and the local members have met with the hospital authorities in question and they believe very well that patients will be protected now and into the future.

**Mr Hampton:** We're used to having the Minister of Health with his frontal attack on hospitals. Now we get the Acting Premier with a backdoor attack on hospitals.

These two hospitals in London are already the product of hospital amalgamations. In fact, they are regarded as



being on the vanguard of restructuring. They've passed 11 efficiency reviews as regional health centres. They're way out in front, but you want to cut another 348 beds and another 1,000 hospital staff. You want to put at risk a number of surgeries. You want to create longer waiting lists. That's all predicted in terms of what is going to happen. I ask you again, is this what Premier McGuinty meant when he said he was going to provide hospitals with stable, multi-year funding—cut jobs, lay off nurses and close hospital beds?

**Hon Mr Kennedy:** I am sure the member opposite really means instead to characterize this as the first step in a seven-step process, but he's not saying that the kinds of things he's reiterating today are not happening today or tomorrow, that in fact there are 18 months within which to work with hospitals in a collaborative, co-operative way that his previous government, now a somewhat distant memory for the people of this province, thankfully, was unable to do. This is the same member who stood in his place as a member of a cabinet that cut \$277 million from hospitals.

We're talking about how to properly manage a 4.3% increase, increases in every other essential area of health care, right in the London area, enhancing care for patients, taking some of the pressures off hospitals and making possible exactly the kind of budgets we're talking about. The member opposite would prefer instead to excite and alarm, and not provide the kind of support there needs to be to make sure that health care is done sustainably. We're not afraid of working with hospitals to arrive at that result, and we're going to continue to do that. We make that undertaking to the member opposite and to the people of London.

**Mr Hampton:** What the people of London see is a government that breaks its promises and is now going to give London hospitals a working over. You mention 18 months. This is what the head of the Ontario Nurses Association, Local 100, in London says: "Trying to recoup \$90 million between now and March 2006 is next to impossible." This is what the volunteer hospital chair says: "The cuts will create havoc in the system in Ontario that I'm not sure we would ever recover from."

On your side of the ledger, Minister, you have \$825 million of new, additional federal health care money. If you look at your budget, you've got \$2 billion sitting in contingency funds. Why don't you use some of that money to work with hospitals, to help them make these adjustments rather than forcing them to lay off nurses, cut hospital beds, delay surgeries and create longer waiting lists? Why don't you live up to your Premier's promise and provide hospitals with the stable, multi-year funding they need rather than attacking them as you are now?

**Hon Mr Kennedy:** Again, there is an obligation and responsibility of every member of this House, in terms of when they predict things like that, to have it based in some kind of reality. The reality for patients in this province today is that there are a billion dollars more in hospitals than when we came into office. There are invest-

ments in our budget of \$2.16 billion, paying for essential services and providing the exact services that patients in London and elsewhere require: \$50 million alone for new full-time nursing, \$470 million in hospital operating funds, \$230 million expanding drug coverage, and investments in home care and long-term-care facilities of \$406 million.

The point here is that there is a plan, not the kind of stumbling around that happened for four and five years when the NDP government was there and the eight lost years when the previous government hacked and slashed at the health care system. We will have a premium health care system in this province. We will work with all the partners involved. There will be some differences of opinion, but those difficulties need not be exploited to have patients have concerns that actually are never going to come to pass.

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#### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a question for the Acting Premier. Your Best Start program for children has gotten off to a very bad start and Ontario children are paying the price. During the election, you promised to spend the majority of funds you're receiving from the federal government through the early childhood development initiative on high-quality, regulated child care. On April 1, Ontario received \$194 million through this agreement, but not one penny of that federal money is going to be spent on child care this year. You promised to spend a majority of this federal money on child care. Why are you breaking that promise?

**Hon Gerard Kennedy (Minister of Education):** In fact, we're very proud of the Best Start initiative. It is very important that in this province, even before they start school, every child has a chance to reach his or her potential. We have put forward a plan that is, we think, vital in terms of the chances that those individual children will have, and we have put forward this year \$58 million. As I'm sure everyone in this House is glad to know, every dime that we've received from the federal government is going into child care. It is going to create up to 4,000 new subsidized spaces focused on increased learning for those preschool children, because we know the value it's going to contribute. We are going to become the first government in many years to actually expand child care services in this province, and we're glad to do so.

**Ms Martel:** You see, Minister, you made my point. The fact of the matter is, not all of the money you are getting from the federal government is going into child care this year. You are receiving \$194 million from the federal government this year through the early childhood development agreement. Not a penny of that money is going into child care this year. That was confirmed in the estimates as well.

Over and above that, in the last election you said, "A child's development is enhanced through good parenting

and quality child care. If we want our kids to aim higher, we have to give them strong support sooner." You also promised in the election that you would invest \$300 million of new provincial money in high-quality child care. We see in the budget this year that not one penny of new provincial money is going to be spent on high-quality child care.

Minister, why are you breaking that promise that you made to Ontario families?

**Hon Mr Kennedy:** Perhaps there's something in the member opposite that has her refusing to accept the fact that there is \$58 million more going toward child care than there was last year. It's going into new child care services. It is helping to produce the base for a program that will continue to grow as the capacity of the government does to provide it.

As we speak today, the House will be interested to know that Minister Bountrogianni, Minister of Children and Youth Services, is in Ottawa discussing the set-up of a truly national child care program, in which Ontario will be an enthusiastic, willing participant. We believe that advantage is necessary for our young children, and it will be provided.

**Ms Martel:** It must be hard for your minister to go to Ottawa and urge the federal government to live up to its election promise on child care when you haven't done that here in Ontario. The fact of the matter is, before the election you promised that a majority of the money that you are getting through the early childhood development agreement, a five-year program, would be invested in early childhood development. None of that money is going into child care this year. You also promised that you would invest \$300 million of new provincial money in child care. Not a penny of new provincial money is going into child care this year. Across the province, we have thousands of families who are on a waiting list for high-quality child care, and they can't get a space.

When are you going to show some leadership, live up to the election promises you made and deliver on providing high-quality child care for Ontario families who need it?

**Hon Mr Kennedy:** Again, for some reason the member opposite would choose to look at a glass and see it half empty. There are 4,000 spaces.

*Interjections.*

**Hon Mr Kennedy:** Look, I agree that those are not all the spaces that we want to have, but those are more spaces than were produced in this province for many, many years. Every single dime that we have received from the federal government since we've been in office is supporting those spaces.

Now, the member opposite may wish to talk about what the previous government did with certain dollars and so on, but I can tell you that we've created a Ministry of Children and Youth Services exactly for the purpose of consolidating and putting together services that neither of the other two governments represented in this House were prepared to do to make sure there was actual delivery for children. There are programs that didn't exist

in this province before, and Minister Bountrogianni and this government are very committed to making sure that what we have in our platform is going to come to pass.

**Mr Tim Hudak (Erie-Lincoln):** On a point of order, Mr Speaker: I ask for unanimous consent to allow the Acting Premier to be changed to somebody who is actually going to answer a question.

**The Speaker (Hon Alvin Curling):** I don't think it's a point of order. New question.

## SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Acting Premier as well. On September 9, Minister Papatello announced that your government will close your only regional centre in Orillia by March 31, 2009. It will affect 680 employees and 350 clients.

I support the concept of moving people with developmental disabilities from institutions into the community, providing they do not have severe, complex needs. The reality, however, is that many of HRC's residents are folks with very complex needs that cannot be met in a regular group home setting in any community that I know of in the province. For example, many are both severely developmentally disabled and mentally ill.

Minister, where do you intend to place these people so they can live their lives with the dignity and respect they deserve?

**Hon Gerard Kennedy (Minister of Education):** I thank the member for his question. Obviously, it is a concern for every member of this House and every party in this House that has participated in a long-term plan to see inclusion be the operative word and the operative experience for those who, now adults, started off as children with developmental disabilities. And there have been successful plans to integrate people who have been living in institutional care into communities.

We will be following those kinds of paths. We will be working with the communities affected; we will be working with the families affected. In many cases, sadly and unfortunately, there aren't remaining family members. And the government, in this case our government, dealing with this portion of those people still living in facilities, will treat them and their future with the dignity and care they deserve. So this is a longer-term plan. It's over a period of time.

*Interjections.*

**Hon Mr Kennedy:** The members opposite ask about how. The how comes with the successful support of people living in the community, just as has been done in institution after institution that we've phased out in this province under the party opposite, under the third party. It's been successfully done. And respect means not prejudging these people, but all of us offering the kind of support that's required to have them truly participate in the community. That's the path we're headed on. It's truly the one that is—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary?



**Mr Dunlop:** I say to the Acting Premier that this government has not consulted with the families of the clients. Your minister said in this House on October 18, "It is important that on the day we made that announcement we took great care to have an opportunity to speak with families in advance."

I don't think that the 200 people I met with on Saturday would agree that a heads-up on the day of the announcement shows you even care about their opinion. These people, family members of the HRC residents, are scared and horrified by your cruel decision: closure with no plan. They are afraid that even if you find places for their loved ones, they still won't get the level of care they are receiving currently.

Acting Premier, on behalf of the families of the 350 clients, is your government prepared to revisit your cruel decision to close this HRC without any real plan?

**Hon Mr Kennedy:** I ask the member opposite to have a care, to take care, in terms of the kind of thing he is inciting with the characterization he's made of the government's plans. He stands in his place, knowing full well—

*Interjections.*

**The Speaker:** Order. Member from Whitby-Ajax, come to order.

**Mr Frank Klees (Oak Ridges):** Who do you think you are?

**The Speaker:** Member for Oak Ridges, order. Acting Premier?

**Hon Mr Kennedy:** For the member opposite to characterize it the way he has is to ignore the fact that there is a plan that would take this to 2009 for an adjustment period, that the government has already agreed to meet with parents to be involved in that plan and that there is a commitment of \$110 million: \$70 million to create new places and \$40 million in community services. If the member rose in his place unaware of that, he is now aware. And he shares the responsibility of every person in this House to help these families, to advocate on behalf of those children, but to make sure it's done in a way that does not create undue alarm on the part of either those families or the persons affected.

We have inclusive policies that have shown this can and—

**The Speaker:** Thank you. New question.

#### OMA AGREEMENT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. Your secret deal with the doctors appears to be falling apart. First, it was the Coalition of Family Physicians telling its 4,000 members to vote no. Now, it is the physician Specialist Coalition urging Ontario's 8,500 specialists to vote no. Together, these two organizations represent more than a majority of Ontario's doctors.

Acting Premier, if your backroom deal with doctors is defeated next week, where is plan B? What is it, and will you start telling people about it now?

**Hon Gerard Kennedy (Minister of Education):** The leader of the third party may wish to use his considerable influence with the doctors who are voting on the agreement.

We're very proud of this agreement. It's worth supporting and deserves the support of the members opposite and of all members of this House.

It is trying to put in place the elements that will transform health care in this province, that will actually provide the right kinds of incentives for the kind of health care the constituents in the member's riding and every riding in this province have been looking forward to. Yes, it has taken a little bit of time for some people to understand. Many would like to look at it through the old lens of health care agreements, but we see in this a forward-looking way of aligning doctors with a satisfying practice, with the kinds of practices that will help preventive care, that will help geriatric care, that will help provide the essential services that people need. We have a plan that we believe is going to provide the best for the future, and we look forward to its being implemented.

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**Mr Hampton:** What we know is that so far, organizations representing a majority of doctors are telling their physician members to vote no. I think the people of Ontario deserve to know if there is a plan B and what it is.

What we've seen from your government so far is nasty surprises. You cut chiropractors, you cut optometrists, you cut physiotherapists, you adopt the Conservative government's terrible strategy of cutthroat bidding for homecare, and then you impose a new health tax that is very regressive and unfair for lower-, modest- and middle-income families. I ask the minister: It looks like your health care deal with doctors is in trouble. What is plan B? Is it going to include as many nasty surprises as the people of Ontario have already seen?

**Hon Mr Kennedy:** I shouldn't stand in disappointment, I guess. I invited the member opposite to support a plan that is good for the north, that is good for underserved areas in this province, and instead he wants to speculate about its demise. I think the Toronto Star said it quite appropriately: "George Smitherman deserves praise for this gutsy deal that will be a good investment for the vast sums of money spent. The agreement buys the sort of genuine, transformative change that Roy Romanow called for in his 2002 report."

We have a health minister who is doing the kinds of things that are needed for sustainable, high-quality health care in this province. He deserves the support of the third party and every member in this House.

#### ASSISTANCE TO FLOOD VICTIMS

**Mr Jeff Leal (Peterborough):** My question today is to the Minister of Municipal Affairs and Housing. We've all seen the sorry Tory tour of Ontario. It has hit London, Ottawa, and last Friday, October 29, it stopped in Peterborough. I was flabbergasted to read the Progressive

Conservative leader-elect Johnny-come-lately Tory's comments regarding the provincial response to the Peterborough flood disaster. According to the Peterborough Examiner on October 30, 2004, Mr Tory "blamed the delay in the delivery of funds on the Liberals, saying it 'speaks to a government that doesn't have control of the management of its own affairs.'"

No doubt, Minister, you're as confused by the statement as I am, not to mention how shocking and surprising Mr Tory's comments must have been to Mayor Sylvia Sutherland, who "flatly refuted provincial Conservative leader John Tory's suggestion that the Liberals have been slow to deliver flood funding" to the city of Peterborough.

*Interjections.*

**The Speaker (Hon Alvin Curling):** The member from Simcoe North, will you come to order, please; the member from Erie-Lincoln also.

Just wrap up in 10 seconds.

**Mr Leal:** Minister, can you please inform my constituents—and set the record straight for Johnny-come-lately—of our government's quick response to Peterborough's flood disaster on 7/15.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Let me say that I too was shocked and amazed when I read John Tory's comments in the Peterborough Examiner. I'm sure he has confused our record with the record of his own sorry-Tory government some two years ago. You may recall that there was a flood in the summer of 2002. It took five months for that Tory government to come up with any relief at all.

What did we do? I'll tell what you we did. On the same day that disaster relief was requested by the city of Peterborough, I personally met with the council of Peterborough and the county of Peterborough and handed them a cheque for \$5 million as a down payment toward Peterborough's recovery. I'm very pleased that the money was delivered to the victims of that flood almost immediately thereafter.

**The Speaker:** Supplementary?

*Interjections.*

**The Speaker:** Your own members are heckling and cutting into your time. Go ahead.

**Mr Leal:** Minister, thank you so much for setting the record straight. It certainly supports Mayor Sutherland's comments that she thought Mr Tory's comments were extremely unfair. Mayor Sutherland certainly understands the facts: that the province responded quickly to the Peterborough area's needs. Please inform my constituents how the Peterborough disaster relief committee and the McGuinty government have worked together to assist those members of my community to recover from this disaster.

**Hon Mr Gerretsen:** I first of all want to commend the Peterborough area flood relief committee for its very quick action in delivering emergency relief to the flood victims. To date, the province has provided \$8.5 million to the city, the county and the three surrounding municipi-

palities. These advance payments are for municipal emergency cleanup and infrastructure repairs and for early financial assistance to the victims of the flood. To date, over \$2 million has been given to over 3,100 households, farms and small businesses. In addition, over 300 interim payments have been made in cases of extreme hardship and urgent situations.

Again, our government and the Peterborough area flood relief committee are pleased to be working together so that the people of Peterborough who were severely hurt by this flood can be helped in a speedy and timely fashion.

## HYDRO PROJECT

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Energy. Last Thursday I asked a very specific question of the Minister of Education relating to a hydro corridor in York region. He refused to answer the question, deflected it to you, and you made it clear that you yourself were very unfamiliar with that file. Today I would like to read to you from a letter that was sent to Mr Tom Parkinson, president and chief executive officer of Hydro One. You were copied on it. It relates to the draft environmental study report that Hydro One released.

The mayor says, "Your staff has admitted publicly that Hydro One did not follow the process required by the class environmental assessment for minor transmission facilities in a number of ways." He talks about the fact that they "failed to notify and deal properly with the town of Markham and the other municipalities." He goes on to say, "Your draft ESR"—speaking to Hydro One—"released last week demonstrates Hydro One only gave lip service to any routes other than the two you initially considered." He goes on to say that the meeting that was held was completely ineffective.

I am asking you today, in light of the fact that the municipality has asked that you deal with this, will you direct Hydro One to withdraw this study so that it can be—

**The Speaker (Hon Alvin Curling):** Order. Thank you.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The Hydro One board, as I informed the House yesterday, in fact extended the period of review: instead of 30 days, 60 days. This is a decision of the Hydro One board. Hydro One, as I understand it, had a number of public consultations, and there are others scheduled. The options are being studied under the environmental studies report. They were posted on October 21 for a 60-day public review period, following which Hydro One will decide whether to file the ESR with the Minister of the Environment or not. Accordingly, I think the process should be allowed to unfold. This is a decision of the Hydro One board, and we'll wait to see the results of the posting of the environmental studies report.

**Mr Klees:** This letter that was written by Mayor Don Cousens from the municipality of Markham makes it



very clear this process was flawed. Your parliamentary assistant in debate here on Thursday night said, "It's important that they listen to the local government and those local constituents, and there is a process in place to do that." She goes on to say, "We have talked how many times about allowing the municipalities themselves to have more autonomy in what occurs in their area."

She specifically referred to the importance of allowing democracy to take place at the local level, and that you have committed as a government to listen to local municipalities.

The town of Markham and every other municipality in the region of York is saying that this process was flawed. Will you agree today to direct Hydro One to withdraw this study and ensure that they follow the process as prescribed in the Environmental Assessment Act? Will you do that today?

1500

**Hon Mr Duncan:** On October 21, Hydro One's draft environmental studies report was posted on Hydro One's Web site and will be available for a 60-day review. There is a public process available. If public concerns cannot be addressed by Hydro One during the 60-day review, concerned stakeholders—that could be the municipality, that could be residents—can apply to the Ministry of the Environment for a bump-up to an individual EA. Completion of the EA, by the way, I should say, does not commit Hydro One to construction. Hydro One has notified stakeholders that it will not seek Ontario Energy Board approvals until asked to do so by York region and other local distribution companies.

Accordingly, there is a fair process in place. The mayor of Markham has stated his point of view on this. The process has the ability, within defined legislative and regulatory parameters, to resolve disputes of this nature. I would encourage those participants to continue to work through the process to help assure that the decisions that are taken are in the best interests not only of Markham but also the entire York region. I'm confident that the processes as defined by—

**The Speaker:** Thank you. New question.

## JOB SECURITY

**Mr Peter Kormos (Niagara Centre):** A question to the Acting Premier. Down in Cambridge, folks have been working at Tiger Brand sportswear since 1881. In August, they went into CCAA protection, putting 320 decent jobs at risk. Tomorrow morning at 10 am, a court hearing is going to be held to select the successful bidder who will be the new owner, the purchaser of Tiger Brand.

The workers understand that the higher bidder is one who plans to shut the operation down and ship the production overseas, sending these jobs not just out of Ontario but out of Canada and out of North America.

Acting Premier, what steps is your government going to take to protect these jobs at one of Cambridge's heritage companies?

**Hon Gerard Kennedy (Minister of Education):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I wouldn't want to comment on the specifics of the CCAA application, but I just want to say to my friend and to the House that, obviously, we'll be monitoring it.

The good news, sir, is that this economy is producing jobs now at a very, very encouraging rate. In fact, in a couple of days I'll be reporting to the House on the strength of the Ontario economy. While we're concerned at any point where a company sees the possibility of the doors closing, I am very encouraged with the economic growth, particularly down in the Cambridge area and throughout the automotive sector.

**Mr Kormos:** Sir, your government goes AWOL when companies go into a CCAA. Tiger Brand workers need action. They need positive, immediate action from this government to save those important value-added manufacturing jobs here in Ontario.

In the past, governments in Ontario have taken real action. Look at Provincial Papers in Thunder Bay. Take a look at Spruce Falls in Kapuskasing. Look at de Havilland Aircraft in Toronto. Look at St Mary's Paper up in Sault Ste Marie. Those were jobs saved by government activism.

The future of one of Cambridge's heritage companies is at stake; 320 jobs are at stake. These workers have been faithful members of that industrial community, creating wealth in this province. Your service sector jobs don't substitute for the industrial value-added manufacturing jobs. These workers want to know they've got a government they can count on to help save those jobs.

Tell us now, is this government going to intervene to ensure that Tiger Brand will maintain its jobs in Cambridge, new purchaser included?

**Hon Mr Sorbara:** I know the Minister of Economic Development and Trade will want to comment on that.

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** As always, when there are layoffs, job losses, this government is very concerned for the workers and the families. I can assure the member that we will, through my ministry, work with the displaced workers, as a first instance, if that should happen—

*Interjections.*

**Hon Mr Cordiano:** Just a minute. I'm just saying that if there is a problem—

*Interjections.*

**Hon Mr Cordiano:** Can you listen to my answer? If there are job losses—we are always concerned—we work with them.

However, having said that, there is a CCAA process underway. We don't know where this will end up. As a result—

**Mr Frank Klees (Oak Ridges):** You just don't know.

**Hon Mr Cordiano:** We do know. There is a CCAA process underway. What I'm saying is that in the case of job losses, we're always concerned. We always act through our ministry. We work with people throughout

the province with respect to worker adjustment, and we do that on a regular, ongoing basis. You know that is the case. You know as well that we are—

**The Speaker (Hon Alvin Curling):** Thank you.

*Interjection.*

**The Speaker:** It seems to me there's quite a habit of people running on after I stand up.

*Interjection.*

**The Speaker:** Order. When I call order, I'd like members to sit down so we can proceed.

New question.

## ACCESS TO GOVERNMENT SERVICES

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Consumer and Business Services. I understand today our government launched ServiceOntario.ca, a multi-year plan to improve access to government services.

In today's information age, many citizens of Ontario want instant access to government services. The number of Ontarians connected on-line is growing at an unprecedented rate. We've seen that, and it's especially apparent in my riding of Stormont-Dundas-Charlottenburgh. Previous governments did not efficiently tap into the world of information technology; as a result, trying to access government services can be daunting. Ontarians need to be able to access information they need in a more efficient manner.

Minister, can you explain to this House how your announcement today will deliver timely, cost-effective and accountable public services for the people of Ontario?

**Hon Jim Watson (Minister of Consumer and Business Services):** I want to thank the member for Stormont-Dundas-Charlottenburgh. When the Premier formed the government, he asked all of us to work with other ministries to improve the delivery of service and the efficiency of government for the people of Ontario. We currently have over 200 Web sites. There are 70 call centres in the province of Ontario and 1,500 counter services. We wanted to eliminate some of the guessing games consumers have to go through when it comes to finding out basic information about their government.

I was very pleased to be joined by the Minister of Labour and the Minister of Culture this morning at the Metropolitan Toronto Reference Library where we launched ServiceOntario.ca, a new province-wide Web site which, in essence, creates one-stop shopping for those people seeking out information. It also attempts to eliminate the silo mentality that has been around government for far too many years. It's an opportunity for us to provide information by allowing the public, business community and labour groups to go on to ServiceOntario.ca.

**Mr Brownell:** I understand the Ontario government collaborated with other levels of government to design this new information portal. With collaboration and sharing best practices, this new Web portal includes infor-

mation that crosses ministries and, indeed, governments and provides the user with a one-stop shop for government services. Busy Ontarians will appreciate this new efficiency. Now Ontarians can change their address on their driver's licence, register a business name and plan an Ontario holiday all in one place. Better access to information and government aids both the individual and small business.

Minister, will you go into, in more detail, the benefits ServiceOntario.ca will provide for consumers and business alike?

**Hon Mr Watson:** Again, I thank the member for his interest in this. Let me just give you three specific examples where ministries are working together. First, the children's ministry has a portal on ServiceOntario.ca. People logging on can receive information about adopting a child, children's health, financial benefits available to students and services for children with special needs.

There's the workplace gateway that Minister Bentley has championed: rights and responsibilities under employment standards, information about wages and hours of work, working outside Ontario, hiring construction workers and subcontractors. How to start and run a tourism business—my friend the Minister of Tourism from St Catharines. On the ServiceOntario.ca portal, we provide information on start-up, funding and finance, human resources and training, industry associations and research. It is truly a one-stop shopping opportunity for consumers, labour and business. It cuts through some of the red tape. We heard a lot about cutting through red tape over here. We're actually doing something about it on this side of the House.

1510

## VOLUNTEER FIREFIGHTERS

**Mr Tim Hudak (Erie-Lincoln):** A question to the Acting Premier: I want to tell you about the Lincoln Nine. The Lincoln Nine are so-called double-hatter firefighters who work full-time in one community and volunteer their services as firefighters in their hometown of Lincoln. Because of pressure from firefighter union leaders, the Lincoln Nine are effectively being forced to make an awful choice: between their full-time jobs and continuing to volunteer to protect the community in which they live.

This is fundamentally unfair, unjust and just plain wrong. Years of mediation and conciliation have proven to be not successful. It is time to act. Will you support the rights of the Lincoln Nine to volunteer in their hometown of Lincoln?

**Hon Gerard Kennedy (Minister of Education):** The Minister of Community Safety will be happy to respond to that.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I find it really interesting that that party, when they were in power, had a private member's bill that—

*Interjection.*



**Hon Mr Kwinter:** I didn't do anything? You didn't do anything. Your members didn't even show up for the vote. It was defeated. If you were so supportive, why didn't you enact that legislation?

I should tell you, I am very concerned about the—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Member for Erie-Lincoln, I don't want a shouting match about a question and answer. I want to give the minister an opportunity to—and Minister, I ask you to direct your answer through the Speaker.

**Hon Monte Kwinter:** I've said virtually from day one that we are very concerned. We want to make sure that the safety of the people of Ontario is paramount. We want to make sure that volunteerism is encouraged. Having said that, we think that the process of collective bargaining should work. The fire marshal is monitoring the situation, and he has the authority, when he feels that a community is at risk, to act. That is where we're going with it.

**The Speaker:** Supplementary?

**Mr Ted Arnott (Waterloo-Wellington):** The member for Erie-Lincoln has again underscored why legislation is needed to protect double-hatter firefighters, to protect their right to volunteer in their home communities and to ensure a high level of emergency response preparedness in rural and small-town Ontario.

The minister, just now, made reference to the fire marshal. He said he's listening to the fire marshal. Yet at the standing committee public hearings two years ago, the fire marshal said, "There is a provincial and public interest in protecting two-hatters who wish to serve as volunteer firefighters. We do not believe that a non-legislated solution is achievable or enforceable." The fire marshal has said legislation is needed to protect double-hatter firefighters. And this spring, he reconfirmed that position in writing to me.

My question is this: When will the government listen to the fire marshal, grow a backbone and take a stand in favour of community safety in rural and small-town Ontario?

**Hon Mr Kwinter:** The member, whom I commend for bringing forward his legislation when he was a private member on the government side, unfortunately couldn't get his colleagues to support his bill. Having said that, I want you to know that the quote you made is two years ago, when you were part of that government. I suggest to you that the fire marshal takes his responsibilities very seriously. When there is in fact a cause for him to intervene, he will inform me of that. That point has not been reached to this date, and we are monitoring the situation very closely.

## HYDRO GENERATION

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of Energy. I have a letter from Mayor David Miller, requesting a full EA for the Portlands Energy Centre that is to be built in the city of

Toronto, in my riding. I, along with hundreds of residents, also called for a full EA, but you turned us down.

There are a number of serious issues that need to be examined before giving approval for this huge gas plant in the portlands. One is air quality. We asked that one condition be the closure of the Lakeview coal plant, but you even refused that condition. Instead, the Liberals are holding an energy policy conference, where you will be discussing ways to put off your pledge to close the coal plants by 2007. Minister, is that why you wouldn't allow this simple, clear condition to be imposed, in order to build this gas plant?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Our government is committed to ensuring that Ontario has an adequate supply of electricity now and in the future. Portlands—the Ministry of the Environment made the decision not to proceed to full environmental assessment. The environmental consequences of gas-fired generation are well known and well understood. There is a scoped environmental assessment, as I understand it. My colleague the Minister of the Environment has been working with the partners in Portlands in terms of getting this process underway.

We remain committed to replacing coal-fired generation, and we'll identify the cleanest and most affordable potential power sources in Ontario as replacements for coal. After years of mismanagement by the previous government, we remain committed to closing the coal plants here in Ontario and moving forward with cleaner sources of electricity.

**Ms Churley:** Minister, if that were the case, why wouldn't you impose that as one of the conditions for this gas plant to be built? That's pretty clear.

I also want to ask you about another issue. As it stands right now, this plant won't even be efficient. It promoted itself to be a cogeneration plant. It claimed to the community that it was going to produce electricity plus steam heat that would lessen the energy taken from the grid by buildings dependent on electrical heat, but negotiations with steam distributors have failed and this plant's commitment to cogeneration is in serious question at best.

Minister, you've been talking about efficiency and conservation, yet this plant is not even going to be cogen. Ontario is sending an anti-efficiency message. All your commitments are just reduced to platitudes. It's time to walk the talk on conservation and efficiency. I'm asking you for a full EA. And will you revisit this project's approval so cogeneration is absolutely part of the equation?

**Hon Mr Duncan:** I'm astounded that member would use environmental protection legislation to slow down the closure of coal plants. That's what you're advocating. She wants us to keep Lakeview open. That's what the member wants. Well, we're going to close Lakeview and replace it with cleaner gas-fired power. I say to the member opposite: I would have thought she'd want there to be enough electricity to serve downtown Toronto in the years ahead. I take it that the member would like job

losses in downtown Toronto because the banks can't keep the lights on. Is that what she wants?

Get with the game plan. Natural gas is cleaner. It's more efficient. It will allow the closure of Lakeview in April of next year, on target, on time. It will make the greater Toronto area better to live in. It will help reduce smog. You ought not to try to use environmental legislation to slow down the closure of coal plants. Get with the game and take a solid—

**The Speaker (Hon Alvin Curling):** Thank you.

## YOUTH EMPLOYMENT

**Mr Brad Duguid (Scarborough Centre):** My question is to the Minister of Community Safety and Correctional Services. This past July the government announced \$500,000 in funding supports to the Toronto mayor's panel on community safety. This provincial funding was intended to help more than 300 young people in disadvantaged areas of Toronto improve their job and life skills by providing summer employment.

Numerous studies have shown that early intervention in the lives of at-risk youth can make a positive contribution that will help them keep on the right track so that they can have a successful future. Can the minister tell this Legislature whether this funding was a success and whether it has led to opportunities for at-risk youth in communities such as Malvern, Jane and Finch, and St James Town?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member from Scarborough Centre for his question. There's no question that it was a resounding success. The mayor's panel on community safety was chaired by Chief Justice Roy McMurtry. It had representatives from various community groups and also had representation from the Ministry of the Attorney General and the Ministry of Community Safety and Correctional Services.

Their initiative was to bring at-risk youth the opportunity to have a job. That meant that for the first time ever, these young people would have the satisfaction of getting a paycheque; for the first time ever, they would have the satisfaction of having a real job; for the first time ever, they would have the ability to use this particular job as a reference. That was a wonderful opportunity, and at the end of the program, there was no question that it was worthwhile and it was something that benefited Toronto and Ontario as a whole.

1520

**Mr Duguid:** Our government is continuing to demonstrate that not only are we getting tough on crime, we're also getting tough on the causes of crime. Our communities recognize that if we're to be successful in addressing youth crime and violence, community participation and buy-in in those programs is absolutely essential. How has the business community responded to this program, and what are the longer-term benefits of this approach?

**Hon Mr Kwinter:** Indeed, there were long-term benefits, and I just want to read a letter that I received from two people who were involved in the program. They said:

"In our role as counsellors for the Jobs for Youth program in the Malvern community, we have gained a wealth of experience through orientation sessions, youth and employer interaction and a number of other administrative tasks related to our position.

"As a result of the implementation of this program, we have exceeded our quota and are very impressed with our total number of placements from the Malvern community. Jobs for Youth allowed our clients to gain valuable work experience, which resulted in employment for a large number of the youth at the conclusion of the program."

These words from these community leaders are clear evidence of the tremendous success of this program.

Finally, I think what's really important is that many private sector companies participated and they have agreed to continue to participate. It's a wonderful program with wonderful results.

## VISITORS

**The Speaker (Hon Alvin Curling):** We have with us in the Speaker's gallery the German-Canadian Friendship Group from the Federal Republic of Germany. Please join me in welcoming them here.

## PETITIONS

### HEALTH CARE

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services."

I have also signed this.

### CHIROPRACTIC SERVICES

**Mr Bruce Crozier (Essex):** I have a petition addressed to the Legislative Assembly of Ontario in support for chiropractic services in the Ontario health insurance plan signed by a number of petitioners who say:

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 8, 2004, provincial budget and maintain OHIP



coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

#### LESLIE M. FROST CENTRE

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition to reopen the Leslie M. Frost Centre, signed by many residents of my riding. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Centre has been Ontario's leading natural resources education, training and conference centre aimed at fostering an understanding of natural resource management, with a focus on ecosystems and their sustainability for future generations; and

"Whereas the McGuinty government refused to consult with municipalities and other user groups before taking this drastic action and continues to operate in a clandestine manner; and

"Whereas this move will hurt the people and economies of Muskoka and Haliburton, especially those in the local tourism industry; and

"Whereas the Frost centre is a valuable resource for elementary, secondary, post-secondary institutions, as well as a variety of other groups;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government reverse the decision to close the Leslie M. Frost Centre, allowing valuable summer programs to continue while a long-term solution is developed."

I support this petition and affix my signature to it.

#### HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

"Whereas this privatization of health care services will force Ontarians to pay out-of-pocket for essential health care;

"Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government's new regressive health tax;

"Whereas the Liberals promised during the election that they would not cut or privatize health care services in Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care."

I agree with the petitioners. I have signed this as well.

#### CHIROPRACTIC SERVICES

**Mr Jeff Leal (Peterborough):** I have a petition to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

#### CHILDREN'S HEALTH SERVICES

**Mr Jim Wilson (Simcoe-Grey):** To the Legislative Assembly of Ontario:

"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York

region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I agree with the petitioners and have signed it.

### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition signed by over 300 residents in the riding of Nickel Belt. It reads as follows:

"Whereas the Ministry of Health has recently approved a request by the Sudbury Regional Hospital to expand the geographic area where hospital patients who need long-term care can now be placed;

"Whereas this situation has occurred because there are no long-term-care beds available in the Sudbury region for these patients;

"Whereas patients now face discharge and placement in long-term facilities far from home, in Chapleau, Espanola and Manitoulin Island;

"Whereas the redevelopment project at Pioneer Manor has freed up space which could be converted into 30 temporary long-term-care beds;

"Whereas this provides a positive solution to our bed crisis;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the McGuinty Liberal government fund these 30 temporary long-term-care beds so that no patient is sent far from home for long-term care."

I agree with the petitioners, and I have signed this as well.

### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario from a group of people in the Lisgar and Churchill Meadows region, and it reads as follows:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As one of those residents, I wholeheartedly endorse this petition and Alexander will carry it for me.

1530

### CHIROPRACTIC SERVICES

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I now have close to 1,000 names and 333 letters from people concerned about the delisting of chiropractic services. I quote in part:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

These were presented to me by Dr Brunarsky, and I sign these petitions.

### IMMIGRANTS' SKILLS

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I have a petition to the Ontario Legislative Assembly:

"Access to Trades and Professions in Ontario.

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and



"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry, or re-entry, of skilled workers and professionals trained outside Canada into the Canadian workforce."

I add my name to this petition.

### VOLUNTEER FIREFIGHTERS

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of those who want to see double-hatter firefighters protected, like Russ Yule of Jordan and Dan and Sharon Mitchell of Beamsville. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

In support, I add my signature.

### FREDERICK BANTING HOMESTEAD

**Mr Jim Wilson (Simcoe-Grey):** To the Legislative Assembly of Ontario:

"Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

"Whereas this great Canadian's original homestead located in the town of New Tecumseth is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

"Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come."

Of course, I agree with the petition and I've signed it.

### CHIROPRACTIC SERVICES

**Mr Shafiq Qadri (Etobicoke North):** I have a petition addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I send this to you by way of page Emilie.

### HEALTH CARE FUNDING

**Mr Tim Hudak (Erie-Lincoln):** I am pleased to present a petition on behalf of Tom Lewis of Ridgeway, Ontario, and Shirley Athoe of Fort Erie. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Dalton McGuinty Liberals promised a health care system that gives us all the care we need when we need it; and

"Whereas chiropractors, optometrists and physiotherapists provide the necessary health care to the people of Ontario to maintain healthy and active lifestyles;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their promise to invest in health care and restore funding to cover optometry, physiotherapy and chiropractic care under OHIP."

I have signed my signature in support.

### EYE EXAMINATIONS

**Mr Jim Wilson (Simcoe-Grey):** "To the Legislative Assembly of Ontario:

"Whereas the 2004 provincial budget was not clear on whether adult optometry patients who have or who are at risk for medical conditions, such as diabetes, glaucoma, macular degeneration and clinically significant cataracts would continue to be covered through the Ontario health insurance plan; and

"Whereas Ontario's optometrists strongly feel that Ontario seniors, those under 20 and those with chronic sight-threatening diseases must continue to receive primary eye care services directly from Ontario's optometrists; and

"Whereas forcing patients to be referred to optometrists through their family physicians ignores the years of specialized training optometrists undertake to detect, diagnose and treat eye conditions; and

"Whereas almost 140 communities across the province have already been designated as underserved for family practitioners and the government's approach will only exacerbate the problem unnecessarily;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care immediately clarify that the eye examination services they provide to patients at risk for medical conditions will continue to be covered by OHIP and the coverage for these services is not dependent on a patient being referred to an optometrist by a family physician."

I have signed that petition.

### ORDERS OF THE DAY

#### HIGHWAY TRAFFIC STATUTE LAW AMENDMENT ACT (CHILD AND YOUTH SAFETY), 2004 LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LE CODE DE LA ROUTE (SÉCURITÉ DES ENFANTS ET DES JEUNES)

Resuming the debate adjourned on November 1, 2004, on the motion for second reading of Bill 73, An Act to

enhance the safety of children and youth on Ontario's roads / *Projet de loi 73, Loi visant à accroître la sécurité des enfants et des jeunes sur les routes de l'Ontario.*

**The Speaker (Hon Alvin Curling):** The member for Ottawa-Orléans has completed his debate. I think it's questions and comments, and we start with the member from Haldimand-Norfolk-Brant.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** The member for Ottawa-Orléans was the last speaker on the government side of the House with respect to Bill 73.

As we pick up this debate again this afternoon, I will remind the House, I will remind the government members, that much of the legislation contained therein is very similar to legislation that was introduced two years ago with respect to the booster seat components of the bill that we're deliberating this afternoon, booster seat legislation that was introduced by the Minister of Transportation at the time, Norm Sterling.

At that time, in December 2002, the injury prevention program of Sick Children's Hospital commented on the direction that was being taken by the government of the day. This organization is known as Safe Kids Canada, a national injury prevention program. It had some good things to say about this initiative. At that time, we were taking a look at requiring the use of booster seats for children over 40 pounds. It was considered a progressive step toward reducing what I think we all recognize as one of the leading causes of not only severe injury, but also death among young, school-aged children.

Again, as we know, these kinds of booster seats position the seatbelt safely over the child's body to maximize protection in the event of a collision. It also reduces the likelihood of the child being ejected from the vehicle, if that vehicle were to roll over.

The only comment I have is that a lot of parents obviously don't know the value of this, and I'm suggesting we put a little bit more emphasis on education rather than legislation.

1540

**Ms Marilyn Churley (Toronto-Danforth):** I'm pleased to spend a couple of minutes responding now, but we'll be speaking in more detail about this bill in a few minutes. The NDP supports this bill in principle, and I think some of my colleagues who have spoken have made that very clear. I don't think there's anything we can do that's more important than bringing in laws that will help protect our children, and this is one of those.

We have some issues with the bill as proposed, and that's why we're calling for the bill to be sent to committee. Some of those who have some concerns can come and speak to the committee and, if necessary and possible, we can make some amendments to actually improve the bill.

I understand that there are some concerns about the fact that—and I don't know how I feel about this myself at the moment. I have mixed feelings, because I know when the NDP brought in red light cameras, and the Liberals then were opposed to it—

*Interjection.*



**Ms Churley:** Yes, yes. Well, some of them weren't here. But one of the major complaints we heard about at that time was that it didn't matter who was driving the car; if the car got a ticket, the owner of that car was responsible. The Liberals then made quite a big fuss over that and said it wasn't fair. I thought at the time, and still do, that the overall good it would do for our community and for our safety was worth it.

We have the very same situation in this bill, where if you loan your car to somebody to pick up your kids or whatever and they get stopped for breaking this particular law, then they're not responsible, you are. The owner of the car is responsible. I don't necessarily think that is a bad thing. I just think that we need to examine it more and look at the ramifications of this and other issues in the bill that there are some concerns about.

**Mr Michael A. Brown (Algoma-Manitoulin):** I want to take this opportunity to comment on the speech made by my colleague, the effective and hard-working member from Ottawa-Orléans.

One of the things that I find particularly interesting and particularly important in this bill is the school bus safety portion. If you represent Algoma-Manitoulin, you represent roughly 700 kilometres of the TransCanada Highway, Highway 17. On any given school day, I don't know how many buses would be out on the TransCanada Highway moving young people from their homes to various schools. In the district of Manitoulin, we will be moving hundreds of children every day on our school buses, so school bus safety is tremendously important.

In this bill, we are doing something for which I want to compliment my friend the member for Chatham-Kent-Essex. He has, I think, three times—is it?

**Mr Pat Hoy (Chatham-Kent Essex):** Six.

**Mr Brown:** Six times he has presented a bill to this Legislature, asking that we make vehicle owners responsible for passing school buses when their lights are flashing. This is a very preventable cause of great injury and death to young people in Ontario, as they leave the school bus and some unthinking or negligent driver passes when the lights are flashing. We all know they should stop. This bill adopts Mr Hoy's fine suggestion that we allow those people to be prosecuted on the basis of identifying the vehicle. It provides certain safety that we do not do the wrong thing, but it allows vehicle owners to be prosecuted. This is a great step forward.

**Mr Jim Wilson (Simcoe-Grey):** I spoke at length about Bill 73 the other day. I just want to say something that I didn't bring up at that time in response to comments that have been made here. I agree with some of the comments in terms of the school safety sections of this bill. For the viewers at home, the owner of the car will be charged regardless of who is driving, so I think it should go to committee, and I agree with members who may want to sort that out.

But the bill mentions photo radar, which is something I didn't mention in my debate the other day. If the government is planning on bringing back photo radar, I don't think it should be doing it through bills like this; it

should have a photo radar bill. There is mention of photo radar in the bill. There is speculation out there in the transportation community and the policing community that the government is paving the way for photo radar. I'm not a big fan of photo radar, nor do I like red-light cameras, although I understand some municipalities find they are necessary in order to keep traffic moving. I think it's too Big Brother-ish, and certainly I would want to see this House have a complete debate on photo radar.

Plus, when you don't get any demerit points—and this is the problem with the school bus section of this too. If someone is driving your car and they pass a school bus with the red lights flashing, there are no demerit points toward the driver. Again, it's the owner of the vehicle who will be charged.

Photo radar, to me, just meant rich people could speed and poor people couldn't, because there were no demerit points. I also felt, when it was in for a short time when the NDP were in, that it was like driving by a slot machine. It was a cash grab for the government. It's a huge revenue generator for any government that brings it in. I'm not totally convinced, as I say, that it's a good idea for the province.

I would like to see this bill go to committee also in terms of child seats. I think we need more public education. I would hope the minister would come forward with a comprehensive plan to make sure people understand this legislation, and understand current safety legislation, so that our roads are safer in Ontario.

**The Speaker:** The member from Ottawa-Orléans has two minutes in which to summarize.

**Mr Phil McNeely (Ottawa-Orléans):** I wish to thank the member from Halton, who is supportive of this bill, and the member for Toronto-Danforth, who spoke in support of the bill. It has the same issue as the red-light cameras have. I wish to thank the member from Algoma-Manitoulin. The school bus safety issue, which he talked about, the safer school buses, is so important to us. We just wonder why this has taken so long to get here. I'd like to thank the member from Chatham-Kent-Essex, who worked over the years to get this bill there.

Everything seemed to be going very well until we got into something I don't think this bill deals with: photo radar. I stand to be corrected on that, but to put a smoke-screen up on such a great bill, such good legislation that is being proposed by our Minister of Transportation, does not seem fair.

I spoke on the current legislation, about how many passengers a young driver with a G2 permit can have in his car. I felt that was a very important part of this legislation. For the first six months driving independently under the G2 licence, young drivers could take one passenger aged 19, if this legislation comes in. That will be great. There is a reason for that: 16- to 19-year-olds make up a little over 5% of Ontario's population, but they account for 11% of all traffic fatalities. So we're on the right track here. Drivers aged 19 and under are three times more likely to be involved in a fatal accident or collision if they are carrying passengers 19 and under in their car.

For those reasons, this is a good bill for the G2 drivers. All the issues of safety that the Minister of Transportation has brought forward in this bill are so important, so it's great to see most people in this House supporting this legislation.

**The Speaker:** Further debate?

**Mr Jim Flaherty (Whitby-Ajax):** I'm pleased to have the opportunity to rise and speak to Bill 73. I'd say at the outset, just listening to the member from Ottawa-Orléans about photo radar not having much to do with the bill, that he might want to have a look at the bill, in particular the limitation section on page 4, which I was going to talk about later on, which I will. It talks about "An owner of a motor vehicle convicted of an offence under section 128 on the basis of evidence acquired through the use of a photo radar system," and then it goes on with respect to other matters.

1550

It is quite perplexing, actually, when one reads through it, to suddenly see this reference to photo radar in the bill. When I look at it and try to understand why the minister instructed legislative counsel to draft the bill in this way, I can only relate it to the attempt in the bill to impose liability on owners and not only drivers. The way they would do that, I suspect, is with cameras taking photos of licence plates, which of course would tell you, with a search of the Ministry of Transportation records, who the owner of the vehicle was, but would not tell you who the driver of the vehicle was. I may be incorrect about that.

I look forward to the Ministry of Transportation—the minister or the parliamentary assistant; those responsible for Bill 73—perhaps providing an alternative explanation. Otherwise it does appear that this bill is a wolf in sheep's clothing in the sense that there's an attempt to deprive Canadians living in Ontario of traditional rights they have when they're charged with an offence and that those rights would be taken away by this bill.

It also, of course, opens the door. Once you do it once, you can do it more than once. It's perhaps easier for governments, once they've already breached the wall and said, "All right, we're going to use photo radar," with respect to a good purpose, by the way—you know, protection of our children and making sure children getting on and off school buses are safe and the use of booster seats for children of a certain size and weight are all good things, but often good things are accomplished in ways that trample the liberties of people which have been respected and established over many years. We have a duty here in this place, I think, to safeguard the traditional rights of the people of Ontario and make sure, even with well-intentioned legislation, that those rights are safeguarded.

Having read the bill, I see no impediment to the government accomplishing the goals sought to be accomplished here by requiring them to get into photo radar. It is a significant offence. We all know it. I believe the penalty is six points for passing a school bus with the lights flashing, and so on. I think most people—certainly

in my community, Whitby and Ajax—are very conscious of that law. There are big signs on Highway 2 in Whitby, I know, about that. People want to obey that law because they realize that their children and their neighbours' children are using those school buses. I say to the government that I think the goal can be accomplished without trampling liberties and rights that people have in the province.

Clause (5) allows the owner of the vehicle which fails to stop at a school bus to be charged. I challenge the minister to justify that to the people of Ontario how an advance is made, in this case, by prosecuting the owner of the vehicle as opposed to apprehending the wrongdoer, which indeed is our tradition in this country and in this province. After all, this is a significant offence and an offence that I think is viewed as significant by most people in the province. So that's clause (5), the ownership aspect.

I hope the government is not going down the road—whether one agrees with photo radar or not is not the point I'm raising today. The point I'm raising is that the government should be open and direct. If the plan is to introduce photo radar in the province of Ontario for speeding offences and so on, then let the government say so and let the government not try to bring, through the back door in a school bus bill and a bill about booster seats, the reintroduction of photo radar in the province.

So the issues about ownership and photo radar are cause for significant concern in the bill.

The lack of respect for the rights of people in Ontario is always a concern—respect for the rule of law. It could happen in this bill, as I read it, that the owner of a motor vehicle could be charged with one of these offences and could be convicted without knowing about it. I say that because I've tried to read through the service provisions of the bill—and I welcome comment from the minister or his parliamentary assistant on this point. I read through the service provisions, particularly those on page 3 of the bill, and it appears that the drafters and legislative counsel have been told to go through permutations and combinations here that would permit service, by subservice, in effect, on owners, so that it's possible that an owner of a vehicle would be convicted of an offence under the Highway Traffic Act without actually receiving physical notice of the fact that they were being charged or had been charged with the offence.

I think that is offensive to people in Ontario. I think they expect to have the opportunity to make a full answer when they're charged with something. This is an imperfect administration of the justice system. Everyone working in the system, I know, tries to do the best they can, but there are mistakes made. That's why we have the court system that we have. That's why we have justices of the peace and judges to hear these cases where people have legitimate defences. But one can't put up a defence unless one knows he has been charged with an offence. I worry about that as I try to find my way through the legislative language here with respect to service on an owner of a vehicle when the owner was not the driver of the vehicle.



The other issue, of course, is the tendency of the government these days to deal with relatively peripheral issues. There is no promise that the government made about this issue, when I look through the 213 promises, but there is an issue about trustworthiness here. Again, it's this concern about bringing in legislation with detrimental provisions with respect to the rights of the people of Ontario in a bill which is designed for a laudable purpose, of course, such as safety for our children. We see in the bill—and something that is not talked about—the potential for conviction of the owner of a vehicle who has not done anything wrong. We also see the naming of photo radar as being a way of adducing evidence in those cases.

Again, these are not issues that I hear talked about on the other side. I do hope some of the speakers will address those issues so that people in Ontario can be satisfied that there is not this subversive intent to do, indirectly through this bill, what ought to be done directly and debated in this place, if that's the intention of the government.

The member for Toronto-Danforth, also the member for Algoma-Manitoulin and the member for Simcoe-Grey, I believe as well, all mentioned this ownership issue. The member for Simcoe-Grey expressed some concern about it and said that it should be something that ought to be discussed at some length in committee. I certainly support that view of my colleague from Simcoe-Grey. There seemed to be less concern expressed by the government member for Algoma-Manitoulin. I'd suggest to him, respectfully, and to his colleagues that they might want to ask the Minister of Transportation questions about this issue and satisfy themselves, if it's possible to be satisfied on this issue, that it is necessary for the purposes of the bill to have this kind of vicarious liability imposed on persons who are not actually committing an offence.

It's quite rare for that to be done. It's not that it has not been done, ever. We have vicarious liability for the owner of a vehicle being operated with consent by another person for the damages or harm caused to another or another person's property. That principle in the civil law is well established, but when you move into provincial offences, or certainly into the criminal law, the tradition has been that one has to be an actor in order to be charged and convicted and not simply passive, the fact being that you own something, imposing some sort of criminal or quasi-criminal liability on that person.

That's an important issue that I hope we hear more of in the remarks by members on the government side, from the minister and the parliamentary assistant, and that I hope gets covered in committee at some length, because it does not appear, or at least we haven't heard any evidence here that is convincing, that it is necessary to impose this kind of vicarious, quasi-criminal liability on people in Ontario in order to accomplish the goal.

1600

The photo radar aspect is a major issue, because as the member for Simcoe-Grey noted, it creates at least a two-tiered system. It says to people who are wealthy in the

province of Ontario: "The amount of a fine won't mean that much to you compared to someone of more modest means. Therefore, be at liberty to speed or whatever else photo radar is going to be used for." I don't know, of course, what's in the government's mind in that regard.

I do know that this bill, in section 6 on page 4, talks about certain types of penalties not being imposed on the owner through the use of a photo radar system. The section talks about "not liable to imprisonment, a probation order under subsection 72(1) of the Provincial Offences Act or a driver's licence suspension as a result of that conviction or as a result of default in payment of a fine resulting from that conviction." One would have to fit that section into the act itself.

The scheme seems to be—and this is worrisome, I think, for all of us who believe in the rule of law as fundamental to our democracy—that the government is saying, "We will use photo radar against an owner, but we realize that that actually isn't quite the right thing to do, because it is vicarious and it's not direct. We won't have to prove that the owner did anything wrong. So when we do that, here's the consolation prize: We will say that you will not be sent to jail as the owner and you will get basically lighter penalties."

Well, I think the government should be more up front than that. It's either the right thing to do or it's not the right thing to do. If it's the right thing to do—and this is a policy decision to be made by the government of the day after debate in this place. If the government thinks it's the right thing to do—to impose quasi-criminal liability on owners of vehicles who are not personally at fault or who have not done anything wrong, through the use of special evidence like camera evidence through photo radar—then let them say so and let them be forthright about that so that we can have a fulsome debate in this place and in the media and so that people in Ontario can comment on that issue.

We know from the past, going back into the mid-1990s, how controversial the issue of photo radar is. It is a strong argument, it seems to me, that it creates different classes of motorists, those with more money and those with less money, because certainly a substantial fine is much less affordable to many people in this society than it is to people who are well-to-do.

There is also a regrettable tendency in photo radar, and I think we have all seen that, for it to be set up in places in which there are not frequent accidents. The goal always has to be—and I laud the goal of the bill—increased public safety, particularly for our children. I think many motorists feel that they would find it more acceptable to be subject to some sort of photo radar surveillance where it was demonstrably for the public good; that is, intersections where there are a large number of collisions. And we all know that is tracked. We see every year the collisions in the city of Toronto, for example, which has the most collisions, the second most and so on. So that kind of data is available, and I'm sure it's available on the provincial highways across Ontario as well.

So I think the public quite rightly says, "You know, if you're going to take liberties with my liberties and bring in substitute liability-type provisions like photo radar against owners of vehicles, then at least make it demonstrable that it's for the public good, that we will reduce accidents in certain places, and then measure that. If it's going to be introduced, then come back a year later and say, 'We introduced red-light cameras, for example, at a particular intersection. The number of motor vehicle collisions at that intersection the preceding year was X, and with the camera there were this number of charges and so on based on the camera evidence. Here's the result. Here's the lessening,' or not 'of the number of accidents and injuries at that location.'"

So it is important, it seems to me, if governments are going to move forward with significant changes in the law of evidence and in imposing significant liabilities on owners of motor vehicles in Ontario that they are not subject to now, first of all, they must be forthright about what they're up to, so that we can have informed debate in this place, and the public can have informed debate; and, secondly, the use of the sections, assuming they're passed, must be measured, so that we have the courts and the police forces around the province reporting back about the efficacy of the procedures being used that would be authorized if this bill does become law in its present form.

It is a concern that we are dealing with some of these issues which are not primary issues of concern to people in Ontario. I heard the Minister of Finance in question period today say we are—I think the quote was—"producing jobs at an encouraging rate." That will have to be examined, given the employment statistics which I quoted in this House just recently showing that basically we have flat growth, were it not for some increase in the public sector. We have a government that is imposing very substantial taxes on the people of Ontario, including new taxes. We have an admission by the government that it was wrong to make a commitment to the people of Ontario not to raise taxes. The government knew, or ought to have known, that that was a major commitment that could not and would not be kept by this government.

We're also seeing less service, and this is a great concern, particularly in the city of London. I think people in Ontario were prepared to cut some slack for the government if there was going to be a new health tax—and yes, it is a tax, not a premium. It's a personal income tax deducted at source. I think some people in Ontario were prepared to say that if there was some demonstrable benefit, an increase in services as a result of that tax, then maybe they were prepared to see how it would work. That's not happening. In fact, what we have is a Minister of Health who's fighting with the volunteers who are on the boards of our hospitals around the province of Ontario, who give of their time. We have headlines like "Dire Straits in the City of Hamilton," and the London Health Sciences Centre. The bottom line is that we have less service in our health care system and we are paying more taxes to be in that system.

We also have the untrustworthiness that comes from a couple of bills that are before this House now, where we are seeing the willingness of the government to attack personal property rights in the province of Ontario. We see that in the heritage bill that we voted on second reading today. I can tell you that I'm a big believer, as you probably know, in heritage buildings—both commercial buildings and residences—in the province of Ontario. I come from one of the oldest towns in Ontario, Whitby, which was an important place in the 1840s before the province of Ontario existed, an important port, one of the great early towns and one of the great trading centres in the province. I see the member from Pickering is here; Pickering was OK too, but it was no Whitby, as the member knows, Whitby being the county town of the county of Ontario.

People believe in their property rights. Once you start endangering the property rights of one person by expropriating a heritage property without compensation or designating it without compensation; or, in other areas, starting to expropriate farmers or other people without compensation, then we're into dangerous territory indeed for the people of Ontario. Their property's not safe when this Liberal government's in this Legislature. That's what it means. Because the Liberals are trying take away property rights, which regrettably are not enshrined in the Canadian Charter of Rights. We're going to watch that carefully, and we're going to hold them to account, just as we are about imposing liability on owners through the use of photo radar in Bill 73.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

*Interjection.*

**Ms Churley:** I go first, but you'll get your chance. I'm pleased to make a couple minutes' comments—

**Mr Wilson:** I'm not making any comments.

**Ms Churley:**—in response to the member from—

**Mr Wilson:** Pickering-Ajax.

**Ms Churley:** Pickering-Ajax?

**Interjection:** No.

**Ms Churley:** I didn't think so. Whatever. Mr Flaherty.

**Mr Flaherty:** Whitby-Ajax.

1610

**Ms Churley:** Everybody seems to be focusing a bit on photo radar, and you can see why. In some ways there are similarities, which is something I fully support, by the way—always did; always will—although I do believe that members are saying there should be demerit points involved in that as well, because otherwise it's just a fine. If you've got the money to pay, you pay, and if you don't, you don't and get penalized.

What this bill is all about—I think I'm hearing that everybody's in support of the bill. How could you not be in support of a bill that will provide better safety for our children? Just to remind people what the bill is about, this particular bill deals with basically three different areas: booster seats, school bus safety—the arm they want to put on buses, which I think is absolutely critical, and



there are some issues in terms of funding that I'll talk more about later—and of course graduated licences. I'm proud to say it was a New Democratic government that brought in graduated licensing. I believe the Liberals even supported it. I can't remember. Did you find a way to support it?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I don't remember it.

**Ms Churley:** You weren't here, but your mother was.

Again, I want to support this bill. I intend to support this bill. I do want it to go to committee, because there are a number of issues and we could go through committee quickly on this. I don't want to hold it up. I think it's really important, but there are some issues, and we need to make amendments.

**Le Président supplément:** Le député de Glengarry-Prescott-Russell.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** It was interesting to hear the members for Whitby-Ajax and Simcoe-Grey refer to photo radar. I have to say that when the previous government repealed photo radar in 1995, they did not remove the mention of photo radar from the Highway Traffic Act. Therefore, the Highway Traffic Act already provides legal authority to hold vehicle owners responsible for certain offences. That's why we only have to amend this authority to include owners' liability for passing a school bus.

I just wonder where they have taken photo radar in this bill. There's no mention at all of photo radar. We said all along that anybody passing a school bus while the flasher is on becomes responsible. No matter who drives the car, it's the owner's responsibility to make sure that whoever drives the car, drives according to the traffic act.

It's true that the person getting the fine, or who has been found responsible, could sometimes have a clean record, but we, the government, will make sure the investigation is on to find out who was driving the car. If it is a stolen car or a rental car, the police department will investigate accordingly. So once again, when the owner of a car is not the person driving it, they could be arrested not because of photo radar but because of an eyewitness, a bus driver or anybody who has seen somebody passing a school bus with flashing red lights.

**Mr Wilson:** I just want to compliment my colleague for Whitby-Ajax. I'm sorry I informed our NDP colleague for Toronto-Danforth of the wrong name of the riding. It wasn't her fault.

I want to say to the member for Glengarry-Prescott-Russell that when we repealed photo radar—as I said, I just think it's a cash cow. You mentioned that it's still in the Highway Traffic Act; the lawyers didn't take the wording out. If you're not intending to bring forward photo radar—you're doing it through the back door here; you're leaving the legislative authority in place and you've got regulation authority in this bill—if you're serious and honest about not wanting to bring it back, then simply put an amendment, when this bill goes to committee—and I hope it goes to committee—to make

sure there's no reference in any law anywhere in this province with respect to photo radar. But I don't think that's what you intend to do. I think you intend to slip it in to help yourselves with the spending spree you've been on and your mismanagement of the finances of this province. You're going to use it as a cash cow and you're probably going to allow municipal partners to use it as a cash cow.

As I said, and as the honourable member from Whitby-Ajax also said, it allows rich people to speed all they want. There are no demerit points. It's simply the owner of the car who gets charged. If you've got a Mercedes or an Infiniti or something like that—I'd prefer that people drove Hondas made in Alliston, Mr Speaker. But if you're really rich—and a lot of rich friends of mine will say they didn't mind having it in at all. Now, we're not rich any more with the pay we make around here; I can tell you that. I was making more money in 1987. But there's the odd prosperous person in the wonderful riding of Simcoe-Grey who has made the comment in the past that photo radar was a joke and they enjoyed speeding because they could certainly afford to pay the bills. That's not making it up; that's a true story. So if you don't like photo radar, be honest, take it out of the law and settle the issue once and for all.

**Mr Hampton:** I had the opportunity to listen to the comments of the member for Whitby-Ajax, and as I listened to him, it said to me that there are good reasons for this bill to go to committee. There's good reason for this bill to be examined with some care in committee so that hopefully, when it emerges from committee, we will be very clear in understanding what exactly the bill does and what exactly the bill does not do, so that we will better be able to perform our responsibilities for the people of Ontario in terms of ensuring that it is good legislation and that it meets the advertising that has been put out in advance. So my sense is that the member for Whitby-Ajax has given us yet another good reason to send this bill to committee for more detailed examination, and so that we can hear from not only the public, but from those who would claim to be experts in the field or have some knowledge and experience in the field.

When you're dealing with issues like this, which are so important to public safety and which promise to promote and improve public safety, it seems to me it is very, very important at the legislative committee stage to determine exactly what tests the legislation meets. Does it in fact live up to all of the earlier advertisement and pronouncements that it's the greatest thing since sliced bread? We want it to meet those tests, and that's why it should go to committee.

**The Acting Speaker:** That concludes questions and comments. The member for Whitby-Ajax has two minutes to reply.

**Mr Flaherty:** I thank the member for Toronto-Danforth and the member for Kenora-Rainy River for the comments about the importance of the bill going to committee and being examined carefully and coming back to this House, I hope, in amended form.

I also thank the member for Glengarry-Prescott-Russell for his comments, but I must say that this is a government bill, and it's up to the government to do something about photo radar or not. They have chosen to put photo radar into this bill. It's in the section that I've already quoted and it is referenced to an owner of a motor vehicle both in English and in French, so I don't quite understand what the defence is. If they don't want photo radar used as a result of Bill 73, then they can say so in the bill and ask the Legislature to approve it.

I'm pleased to hear that the member for Simcoe-Grey continues to associate with his rich friends; the member for Glengarry-Prescott-Russell has some as well, I'm sure. I know that the front bench in the NDP has some rich friends from my time as Minister of Labour. I met some of them.

There are quite a few people who would know people—and this was the point that the member for Simcoe-Grey was making, of course—who would flout photo radar because they have more resources than people who have less resources. That isn't the kind of justice system that most of us want to have in Ontario. I think we always try to look for the deterrence factor when people are behaving inappropriately and committing offences under the Highway Traffic Act in Ontario, that we look for a certain deterrence to what happens rather than just a tariff. After all, these aren't parking offences that we're talking about; these are moving offences. The bill talks about moving offences involving children and school buses, and these are vitally important.

1620

**The Acting Speaker:** Further debate on Bill 73?

**Ms Churley:** I'm very sad to say that I don't have that many rich friends. I know we're hearing a lot—I don't know how we all ended up in Bill 73 talking about our rich friends here, but I do have a few—maybe two. I won't name them here, but I must say that they are very responsible citizens. I know that when they get behind the wheel of their very expensive cars, they are responsible. Certainly, their thought is not, "Well, gee, I can afford to pay this ticket, and I'm going to just not worry about kids getting off a bus. I'm just going to speed by, perhaps hitting one, because I can pay for this."

I've got to tell you that I believe this is a little bit of a red herring here. What we need to do is to educate people so that it's not about—obviously, you need deterrents. You need carrots and sticks. But whether or not you can afford it is not the issue; it's about protecting the safety of our children, and that, of course, is one of the issues around this bill that I've already said in a couple of two-minute responses earlier that I generally support. I support in principle most components of it, but there are some issues that I know some of my other colleagues have talked about, and I'll speak to as well, that we need to examine a little more closely and make some changes to.

What I don't want to see is this turning into a whole debate about red light cameras and whether or not they are just, because rich people can speed because they can

afford it and poor people can't. I do believe, however, that there should be demerit points involved in speeding. I believe anything that we can do—I know that if I'm in a situation where I feel I'm going to get a demerit point, even if there are no safety implications to what I'm doing, that has a huge impact on my behaviour, especially these days with auto insurance going up and up and up thanks to the policies of the new Liberal government. After promising to fix it, they've made it even worse. But because of that, I think it's even more urgent; I think it would work even more because we're all so afraid of our auto insurance going up because the government will not do what is the right thing to do now, and that is to go to public auto insurance. It has been clearly defined now in other provinces that that is the only way to go in terms of keeping our rates reasonable. But because the auto insurance rates are going up and up and up, we are very, very careful. Drivers are very careful not to do anything that will make those rates go up even higher. I know it's a big concern of many of my constituents.

I want to talk a bit about what is in the bill. Photo radar actually isn't in this bill, believe it or not, to people who may be watching. It seems to be a major issue with us today. That's because there are some similarities—

**Mr Flaherty:** It's in section 7.

**Ms Churley:** Is it? Within this bill? I thought this bill was talking about booster seats, school bus safety and graduated licences. Those are, in fact, the major pieces of the bill that I want to talk about. Photo radar is something that I supported when the NDP was in government, and I was very disappointed when I saw the Conservative government throw it out. In fact, it should be brought back in again. But let's remind the newer Liberal members here, that when in opposition then, they voted against photo radar. Talk about a flip-flop on that one. But at least it might be some of the new members who said, "Come on. The NDP did a good thing there. Let's bring it back."

I'm very glad that we're finally debating this bill. I believe the bill has been languishing on the order paper since May or something. It's nice to see, in the new spirit of co-operation we seem to be having in this Legislature, that the government is calling forward bills that are important and that generally, in principle, are bills that we support. I have absolutely no intention of holding up a bill that I think is important to get through because it contributes to public safety. What I do want to make sure, though, is that we are not sitting here every night until midnight debating important public policy that has huge impacts—we're lawmakers—on the people we serve. It's important that we discuss these bills, have good debates about these bills, when everybody is alert, awake, very coherent and knows exactly what it is they're talking about. I've seen, by example, some of the mistakes that have been made by the government whip in the evening when everybody is tired and not paying enough attention. In fact, he sent one of his own bills to committee of the whole House. That was the Liberal acting whip that night. Perhaps we're off to a new start here.



We're certainly very happy to be debating these bills that we generally support. We support this bill in principle. I want to talk for a minute about the component I'm particularly interested in, and that's the booster seats. What this is all about is, "Forward-facing booster seats will be required for children who are too big for a child car seat but too small to be protected by a seat belt. This includes preschool to primary grade children weighing between 18 kilograms and 36 kilograms"—that's 40 pounds to 80 pounds; people still think a lot in pounds, but I'm sort of in that stage in between—"with a standing height of less than ... 4 feet, 10 inches"—that could almost include me; I just escaped that, I believe; I'm a little taller than that—"or maximum age of eight years. Demerit points will be applied to drivers who misuse, or fail to use, infant or toddler seats or booster seats."

I want to talk about that for a second, because I know the member for Hamilton East and others have raised some concerns about the way the legislation is written now and how it might impact on a grandparent or somebody else who doesn't normally pick up the children from the child care or school or whatever. I believe that anybody for whom it's the normal practice to go and pick up children should have the booster in their car, the proper safety belts and whatever else is required to keep children safe.

I remember very well when I was a single mom and my child was in daycare. I was at university and something would go late or my bus would be late or I'd be held up for whatever reason, and I could not get to the child care centre in time, when it closed, and I just had to have somebody go pick up my child. In some cases, the child care would fine you if you were late. I didn't like doing that to the child care workers anyway, but in some cases they just shut down and you had to take the child with you or they'd be very angry with you. On those occasions—I didn't have grandparents around but I had friends around—I would have to call upon my friends in an emergency situation—and believe me, it happened more than once—where they would have to quickly go and pick up my child.

I have to tell you that I rode my child around on the back of my bike at the time, which is another interesting story. I didn't have a car. I was a poor student. That was even before we wore helmets. Can you believe that? Back then, it wasn't required. This was in British Columbia where I was at Simon Fraser University, but I know that at that time there were no laws in Ontario either. That's an example of where we've gone a long way. Mr Speaker, it was a colleague of yours, Dianne Cunningham, who worked very hard on a private member's bill. Our then-government supported the bill that said that at least children have to wear helmets. But back then we didn't wear helmets. Anyway, I used to ride around with my child, my lovely daughter, Astra, when she was a little girl, on the back of my bike. But I would have to ask my friends to go and pick up my child, and they didn't have booster seats in their car. I don't think people in that circumstance should be penalized. I think we have to find a way around that. I really do.

I also think there needs to be, if necessary, for low-income people, some assistance in making sure that those booster seats are at reasonable cost. That, I think, is absolutely critical. That's a point we need to look at. I know that a number of people, I believe from all parties, raised that.

School bus safety: That's a very interesting one, because we all support school bus safety. What this involves is, "All new school buses will include a safety-crossing arm to prevent children from walking into the bus driver's blind spot at the front of the bus." We know there have been tragic deaths of children as a result of that. The faster we can get the arm put on those buses, the better we'll all feel, particularly parents who have their kids going on the bus and getting off that bus. I'm sure every day there's a worry because of that blind spot. So we support that.

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There are a couple of other parts to that. I believe that is the most important part. There are fines involved in this as well, and vehicle owners may be charged if their vehicles are reported to have illegally passed a school bus. That is again the issue that has been raised in terms of both photo radar and this particular issue. I said earlier that I believe public safety comes first. I also believe, however, that if we can find a way at the committee level to ensure that it is the driver who is penalized and not the owner of the vehicle, that that would certainly be a better thing. I do want to make sure that this school bus safety feature goes through. I think it's absolutely critical.

It's a mad world out there now. I ride my bike a lot, I walk, I take public transportation and I drive. So I'm involved in every aspect of getting around this city. We all notice that it's getting more and more dangerous: more cars running red lights, everybody in a hurry, cyclists sometimes going through red lights. I believe the vast majority of cyclists are obeying the rules, but there are some who don't and give us all a bad name. I feel now, riding my bike, that it's far more dangerous out there on the streets than it used to be—gridlock and everybody being in a hurry—but in particular for the elderly and children crossing streets. Nobody stops at a yellow light any more. You can't make a left turn anymore on a yellow light, the way it used to be. You just can't do it. Everybody now assumes that you go right through the yellow light. So if you're trying to make your left turn, you've got to wait and turn on a red. It didn't used to be that way. So it's much more dangerous for children now, and I'm very, very concerned.

We've all seen it happen: cars whipping by streetcars when the doors are opening. Sometimes it's a matter of proper education; sometimes it's a matter of people just being in too much of a hurry to care. So this feature is extremely important.

I do want to talk about—and this is critical and a really important point that members of the New Democratic Party have been talking about, and will again; that is, the bill imposes new responsibility on school boards to improve their school bus fleets. But at the same time,

the Liberals are cutting. Liberals' cuts to busing leave boards—

**Mr Mario G. Racco (Thornhill):** Talk to the issue.

**Ms Churley:** Somebody, a Liberal, says, "Talk to the issue." This is the issue. This is exactly the issue: imposing new responsibility on the school boards but at the same time cutting busing, leaving boards with less money to implement it.

**Mr Racco:** They gave them more money.

**Ms Churley:** They're still saying they gave them more money. Just listen to this. Just let me tell you what you did. They keep saying they gave them more money.

When the Liberals came in, they promised to reinvest in transportation, and the new allocation—you should listen carefully, because this is going to be a problem in communities; it is, clear across the province. The new allocation of transportation funds is not equitable. It is hurting parents and hurting children in many of our boards. So the ministry is playing lottery with the school bus transportation funds. Some boards win, and some boards are losing. There is a 6.41% overall increase over two years. Nobody is arguing that, but you have to listen to what the problem is. First of all, that's simply not enough. The Liberals promised to reinvest, not redistribute, and that is what is happening here. That's exactly what happened under the Tories' so-called equalization formula. Mr Speaker, you will remember that.

**Mr Jeff Leal (Peterborough):** It's 16% in Peterborough.

**Ms Churley:** In Peterborough, perhaps, but we're talking about clear across the province.

When the Tories promised to bring in more equitable funding for urban and rural boards, that's what they did. Instead, what we saw under them was an overall decrease. So what's happening is that boards are beginning to cut services—this is happening out there—such as surplus seating and changing the qualifying distance.

I'm going to give you an example that has been brought up, and people should listen to this.

**Mr Brown:** This has not happened.

**Ms Churley:** It is happening. Talk about putting their heads in the sand and not taking them out. It's true. Member for Durham, you would know. Here comes the member from Durham, and he can tell you it's happening. In the Durham District School Board, 600 to 1,000 families have had at least one child being cut out of bus service. Mothers or fathers leave one child in the bus and drive the other in the car behind the same bus. This is happening. It's true. We're not making this up. In fact, I couldn't make this up if I tried. It's crazy, but that's what's happening out there. The previous—

**Mr Brown:** You are making this up.

**Ms Churley:** They're saying that we are making it up. I'll have to have those parents call some Liberal members and tell them themselves. I'm sure they'll be doing that.

The previous transportation funding formula had been in place since 1997. Back then, parents complained that it did not sufficiently fund school boards. As I said, the Liberals promised to change how funds were allocated

for busing. They published the proposed changes in a document called Equitable Allocation Through a New Funding Model for Student Transportation in Ontario. I want to say to you again, the funding is not equitable. Thirty-one boards will have an allocation for 2005-06 that is less than the amount received in the years 2003 and 2004. This is a fact. As a result, more than 30 boards of education will lose funds for buses beginning in 2005-06. So all of the school boards, it's true, will get a 2% increase this year, and for those boards with projected increases, phase-in funds as well—

**Mr Richard Patten (Ottawa Centre):** The formula has been reviewed.

**Ms Churley:** No. You know what, Mr Speaker? I find this shocking. They will be hearing from parents who hear Liberals laughing tonight at their plight as a result of this inequitable formula. I'm sure the member for Durham will tell you stories, because some of it's happening in his riding. It is not wrong. The funding formula has got to be fixed, and they will hear more and more about that.

I want to talk a little bit about graduated licences:

"Currently, the number of passengers permitted in a vehicle driven by a G2 driver is limited to the number of working seat belts.

"A new regulation would restrict the number of passengers that young G2 drivers, aged 19 and under, can carry.

"For the first six months, these drivers could carry one passenger aged 19 and under.

"For the balance of their time in G2, or until the driver turns 20, these drivers could carry up to three passengers aged 19 and under.

"These restrictions would not apply if the G2 driver is accompanied by a fully licensed driver with at least four years driving experience, or if the passengers are family members, regardless of age."

I believe that this is something that I can support. It was the New Democratic government, as I mentioned earlier, who brought in graduated licensing. I believe it's been a success. I believe that we can improve upon it, that the object here is—I assume anyway, from what I've read—to limit how many people, to the extent possible, might be put at risk when a driver is just learning how to drive. I think that is extremely supportable.

In closing here, there are a number of issues in this bill that need to be addressed. Overall, I'm supportive of the bill. I'm concerned about the lack of funding to school boards to allow them to bring in the new safety feature that could become law very soon. I believe that has to be looked at. I believe that we need to go to committee as well, beyond that, and we will be bugging the government to keep their promise and bring in an equalized formula to improve the funding for all school boards across the province in terms of busing. The busing of our children, not just the safety features on the buses themselves, but also the accessibility for children to have a bus when they have to go—what?—five, six, seven



blocks away, in some cases, and sometimes on very dangerous one-way, fast-moving streets.

So that funding formula is absolutely key for the school boards to make it work, but we also want to take a look at some of the other clauses around—I talked about these things—the driver of the car having to take responsibility for breaking the law and not necessarily the owner. So I'm looking forward to this going to committee so we can address these issues.

1640

**The Acting Speaker:** Questions and comments?

**Mr Peter Fonseca (Mississauga East):** I'd like to thank the member from Toronto-Danforth for her comments and for getting behind this bill in principle. This bill is responsible, it's timely, it's proactive and it's working toward making our province safer and healthier.

We've just come through a happy Halloween, and I can say a happy Halloween, when kids aren't hurt out on the streets. Now, this government is taking responsibility and taking control for those who at times have not got an awareness in terms of road safety, and that's our kids. We've got kids walking up and down the streets and crossing the road, and drivers these days, with gridlock, have gotten impatient at times. We have to make sure they continue their ongoing learning, as I do and many of us do, in terms of our road safety.

But there are times when I've seen cars behind school buses get somewhat impatient and dart past the school bus. That causes a big hazard and a huge safety concern for our children, our kids and everybody. That will affect not only the child who may be hurt by that vehicle, but it will affect their families and others in the community.

This is about our platform to build strong and safe communities. The school buses and the safety arm that's been introduced in this bill is the right thing to do. I know the member from Oak Ridges doesn't believe so. He sees it as a tax grab. I don't. I see this as a safety measure, looking after our kids who don't have control over some of those situations.

**Mr Garfield Dunlop (Simcoe North):** I just heard the member opposite talking about how someone thought it was a tax grab. If you want to prove otherwise, maybe you would adopt the private member's bill put forward by the man sitting in the Speaker's chair tonight, which exempts tax on the booster seats. For all these young families who are trying to afford these expensive seats, perhaps that would be a good first step. Show us how sincere you are and eliminate any tax on those booster seats. I think that would be a good gesture on behalf of the government.

But I really want to talk about another tax this afternoon for a couple of minutes, and that's the gas tax. I was insulted today by the member from Guelph-Wellington when she mentioned that I didn't know what I was talking about in my own riding. I want to tell you, I have 11 municipalities, which includes two First Nations, and only two of my municipalities, the city of Orillia and the city of Midland, get any advantage from the gas tax. All of the other municipalities pay into that, pay gas tax, all

the citizens in those municipalities, and not one penny is going into the other nine municipalities. I think that's insulting to rural Ontario. And I found it insulting that the member from Guelph-Wellington knew so little about it. She had to come to this House and try to insult me in a private member's statement, and then we turn around and she's the one who looked foolish on the whole situation, because we're serious about this.

I don't know where you Liberals from rural Ontario are over there and why you're not speaking up on behalf of your rural Ontario municipalities. They pay money into this, all of the residents. Millions of people across Ontario pay the gas tax and do not get one cent back toward roads and bridges. You're putting it all into your special little city areas.

Thank you very much, Speaker. I appreciate this opportunity.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I'm pleased to add a couple of minutes of comments, particularly to the member for Toronto-Danforth and her comments. It's interesting. I can almost relate with her experience, particularly a number of years ago in my case, in the late 1960s and early 1970s, with bicycles and kids on the back of them, getting back and forth to university. At that time I was at York University. It was a concrete jungle. I understand they've got trees and flower beds there now and it's a very different place. The same kinds of experiences that she would have had, I was having here with my family, my wife and a young daughter in Toronto.

I'm not quite sure what the member for Simcoe North was referring to, but it certainly wasn't Bill 73. I'd like to take a minute or so to point out some of the types of benefits that will come from this by virtue of what currently happens in Ontario. Road accidents are the leading cause of death and injury to youth in Ontario. If no one can see that the provisions of this bill will help to address the potential for death and injury—I think all members agree that the objective and what's in the bill will help to reduce those death and injury situations.

One in five people killed on Ontario roads are under 19 years of age. Provisions that will assist new drivers to gain appropriate experience such that their cars are not overloaded, particularly late at night, and provisions whereby young children are properly secured in vehicles with parents, grandparents, relatives or caregivers, will certainly enhance the opportunity for young people in Ontario to be able to experience a full and valuable life.

A recent transportation survey found that one-third of school bus drivers sampled observed at least one incident of illegal passing each day. That's one in three bus drivers seeing illegal passing of their vehicles loaded with children on a daily basis. Clearly there have to be initiatives to address those—

**The Acting Speaker:** Order. We have time for one last question or comment.

**Mr John O'Toole (Durham):** I thought it was important that the previous speaker mentioned Durham and the issue surrounding the funding of school buses

equitably across the province. Unlike what Mr Kennedy, the Minister of Education, has said, it really isn't turning out to be as equitable as Ms Churley has outlined. I would only say that, as to the funding model on transportation across my riding of Durham, which would include four different board areas plus the French language panels, there are great disparities in the funding when it applies to the Kawartha Pine Ridge board, and their counterpart coterminous board is getting a minuscule part of the funding. That's creating some important inequities.

I guess the key is that Bill 73, which I'll be speaking to later, is to some extent a compliment to the previous government. If you look to the history of the bill, you'll see that even in Minister Takhar's opening statement on the day, where he recognizes it's to continue the work being done by the then Progressive Conservative government. In that respect, I respect Minister Takhar. As a new minister, he wasn't properly trained to not give the opposition or the previous government any credit. In fact, he would have to look to the record to see that there really was nothing in their election record that they would do anything on road safety, which is a shame.

But in my comments, I think it would be remiss if—I see Mr Hoy is in the chamber. Not to point that out, but I think the work he did on school bus safety, although we fundamentally disagree, respectfully, it's my view and the view of many here that Mr Hoy should be in cabinet. Whether or not he was Minister of Transportation, I think he could have done a very admirable and respectable job in agriculture, although school bus safety has been his one point of light, and for that I thank him. I'll speak to the bill later.

**The Acting Speaker:** The Member for Toronto-Danforth has two minutes to reply.

**Ms Churley:** I want to thank the members for Mississauga East, Simcoe North, Pickering-Ajax-Uxbridge and Durham for their comments. I must say I agree with the member for Simcoe North that a tax exemption for booster seats is a very good idea. I alluded to the fact that we have to make sure that—

*Interjection.*

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**Ms Churley:** Is it the Speaker's bill?

**Mr O'Toole:** Yes, it's Mr Arnott's bill.

**Ms Churley:** I think, Mr Speaker, it's an excellent bill, and I think we have to be sure everybody can afford these booster seats.

I found it interesting that, with all of the heckling and yelling at me when I was talking about how, starting next year, some school boards across the province are going to see reductions in the transportation funds, not one Liberal member got up in their two-minute response to me and spoke about that. I want to reiterate what a serious problem this is. If you don't believe me, go look at the document that your own Liberal government put out. Over 30 boards of education are losing funds for buses beginning next year, 2005-06. So, yes, when you say you increased funding by 2% this year, that is correct; you did

do that. But we're not talking about this year. We're talking about your—

**Mr Brown:** Yes, you were.

**Ms Churley:** No, I'm talking about next year. In the discussion paper that they put out, Mr Speaker, the 2% is just for this year. So the issue is not about this year; it's starting next year and into the years to come.

**Mr Patten:** It's being reviewed.

**Ms Churley:** So now they're admitting that. They are now saying it is being reviewed. Well, I would put a stop to it right away. This is going to come into being about the same time, probably, as this new bill is being implemented. This is a big problem, and I wish the Liberal members would start paying attention to it.

**The Acting Speaker:** Further debate on Bill 73?

**Mr Lou Rinaldi (Northumberland):** It's a pleasure to rise in the House to speak about Bill 73. I guess what Bill 73 really means in an overall context—at least to me, and I'm sure to the rest of the House—is that it's about kids, it's about the youth and it's about health and safety. And when we talk about the youth and the kids of our society and how we best protect them, what we're really talking about is the future, because that's really, really important.

Let's tackle the part about booster seats. What we're saying is that we know, as parents and as experts and as grandparents, that with some of the guidelines we had before for booster seats, some kids literally fell between the cracks. So we want to make sure that for those kids who are not of an adequate weight, adequate height and adequate age, we're here to protect them.

I can tell you that over 30 years ago, when my kids were born and were very young, I remember going on trips, and when you have more than one, two or three, my wife or whoever was in the car trying to juggle and look after those kids. If I reflect on it today, it's scary; it really is scary. I mean, we weren't sure where—well, we just did it. But I guess I would say that at least in my case we were fortunate that accidents didn't happen.

I look at my grandkids—I'm fortunate to have six of them now—and how well regimented they are, that they have to have booster seats to protect them. You know, there is no question about it whatsoever that they like to get in the seat. It certainly takes some of the burden off, for example, if you are by yourself in the car, which many times happens, worrying about looking after that child, whether it is your own child or, in my case, in most cases, grandkids. And we certainly enjoy having our grandkids with us.

We heard the concerns about when grandparents, in an emergency, have to pick up kids from school or from the babysitter. I tell you, we don't have extra seats in my car, and I do have six grandkids. Four of them live very close to us, so my wife, I must say, does a lot of babysitting. We absolutely have no problem. It is part of our duty to make sure we have a seat if we have to look after one of our grandkids. I think it's the least we can do. So I have absolutely no reservations moving ahead with this piece of legislation that takes away the risk of those kids being injured.



I think we need to talk about the fact that it's not particularly because of this government's brainstorming that we do this. We need to look at what experts are telling us, what surveys are telling us. They're telling us that in 2002, 85% of kids between the ages of four and eight were susceptible to higher injuries.

If this bill passes, which I'm sure it will, I think the House as a whole should support this. We're going to provide ample education to parents or child care givers by giving one year of lead time so that they know they have to be prepared for this change. I certainly would encourage people not to wait for the year and hope they recognize how important this piece of legislation is. I'm sure a lot of them will even take the opportunity to implement it into their own cases.

The other thing is that by giving that year of lead time to people who need it, that will give them the opportunity to look out for the best possible bargains for the seats that meet the requirements and for the differing makes and models to best suit their needs. We're not talking about high expenditures. I know that whenever we spend money, it costs money and it is an expense. But when we look at how, for somewhere in the neighbourhood of \$30, or maybe a little better, they could get one of these seats in their cars, look at what the end result might be. We could be saving a child's life. I tell you, for the life of me, that's a really cheap investment to save a child's life, or even the potential to save a child's life or save a child from injury. We're not necessarily talking about life, but in many cases it is injury.

I can relate from experience. I believe it was two, three years ago that my daughter, with her two kids, Jordan and Allison, were involved in an accident on the 401 where their van rolled over. My daughter was driving. That was on the 401, in my riding—it was an accident, through nobody's fault; it happened. Both of my grandkids are safe—not even a scratch. They were both in their car seats. So I can attest to the fact that they do work.

Once again, this is not just legislation in Ontario. I think we're talking about North America; we should be talking worldwide. There are already similar laws in the province of Quebec and some 22 states, and other provinces across Canada are considering similar legislation. I could not reinforce the fact enough that we need to move forward on this and get the job done.

I want to take the couple of minutes, maybe, that I have left to talk about school bus safety, the mandatory crossing arms that we want to put in place for January 1, 2005, that every new school bus will have. In a neighbouring riding of mine, Prince Edward-Hastings, a few years back there was one of those fatalities where, if we'd had a crossing arm, I'm sure the child wouldn't have been killed. I'll tell you how much it means to those people in that community: The mother of that child, who was here in the Legislature a few weeks ago, started a campaign where they're raising money to retrofit existing school buses. I know of other groups that are doing similar things. They are even a step ahead of our govern-

ment. It is very crucial that this legislation goes through because once again it's to protect the vulnerability of those young kids. Their minds are not necessarily on the fact that they have to cross the road, and it happens; that's when we have accidents.

The other important part of school bus safety that I would like to spend some time on is the fact of passing school buses when their lights are flashing. I must say that sometimes it is tempting. You see a bus slow down and you want to race and go by it. I know that there are a lot of people who don't reflect on the impact that might have and what it will cost. The fact that school bus drivers have very little time because of the issue of their looking after the kids in the bus, that they have to identify the driver—I mean, how can you? Even if you wanted to and you had no kids on the bus, it would be very difficult because of the elevation and your line of sight. So I think, just by identifying the licence plate, it's a step in the right direction.

1700

We hear, "Well, maybe it is not their car." I believe that as citizens of this province and this country, we need to take some responsibility. If I loan my car to a friend or to a family member, I believe that I have to accept some responsibility for their actions when they're driving the vehicle.

That's a poor argument, when they say, "Maybe it's not the owner, and they're going to be penalized." We talk about a \$2,000 fine. It does sound like a lot of money, but when we look at the potential of half a dozen kids or maybe more getting out of the bus and crossing that road, how can you put a price tag on those things? Maybe it should be more, Mr Speaker.

In wrapping up in a short time—I know that I could talk at length on this—I believe when we're talking about the safety of kids, about education, when we talk about kids in general, that is our future. We should do everything under our power to make sure that we give these kids the best education and protect them to the best of our ability while they are young, because at the end of the day it is those young kids who are going to look after us as we move on in age.

I'm prepared to support this bill right through to the end. Hopefully, we can get it implemented as soon as we can.

**The Acting Speaker:** Questions and comments?

**Mr Wilson:** All afternoon the Liberal members have refused to talk about a provision in this act that allows photo radar and mentions photo radar, in both the French and English versions of the act. I have a sneaking suspicion that they are using this child safety act as a means to at least give some authority to the government to reintroduce photo radar in the province.

The Premier hasn't ruled it out. He told the Hamilton Spectator on August 12, "Some municipalities are proposing that we have a return to photo radar," and he's not ruling it out. Mr Takhar at one point ruled it out, and then he isn't ruling it out. The Minister of Transportation says, "We are considering all sorts of options to improve

public safety," although he says "there are no immediate plans to implement photo radar." He said that on January 16.

I didn't like photo radar. I don't like photo radar. It felt like Big Brother driving down the roads, staring at you, staring over your shoulder. We already have very little freedom in our free and democratic society, and that's just Liberal social engineering, and before that, the NDP. Social engineering: That's what they do when they get their hands on the reins of power in this province, and it's a disgrace. And it's a cash cow, and it's for rich people. I mean, imagine the NDP bringing in photo radar, which allows rich people to speed and punishes poor people and doesn't do anything about the behaviour of the driver of the vehicle, because there are no demerit points issued.

I think that there is more to this bill, and I sure hope that it's sent to committee so we can have a full airing. If the government is right, we'll figure that out in committee. Right now, I have my suspicions.

**Mr Howard Hampton (Kenora-Rainy River):** I listened to the comments of the member for Northumberland. I know that government backbenchers are under great pressure from the minister's office to say nice things about the bill and to always speak only about the positive aspects of the bill. What I'm hoping the member for Northumberland will do in his two minutes when he's allowed to comment in response is to tell us why there are so many boards of education that are actually losing transportation funding, and how those boards of education will be able to pay for some of the changes to school board busing when, in fact, they are going to have less money.

If I may, we're already seeing that this is an old Conservative trick that is now becoming a Liberal trick. You announce changes with much flourish and then you fail to point out or you neglect to point out that school boards are going to be on their own in terms of paying for the implementation of these things, when we know that school boards are already hard-pressed. Many of them are being forced to close schools, to close classrooms. They're still being forced to reduce some of their program. In Thunder Bay, where they do a lot of busing, they're looking at closing 19 schools, most of them rural schools. So I hope the member for Northumberland, when he has a chance, will explain why it is that so many boards of education are losing school busing funding and how they're going to pay for these changes.

**Mr Racco:** I'm pleased to speak in favour of Bill 73. Bill 73 partially speaks about booster seats, which are mandatory, and that there is a potential penalty of two demerit points if you and I are caught without them. I believe it's the right thing to do. I believe this is something that should have been done many years ago. As a parent who has children of the age that qualifies, a six-year-old and a four-year-old, I believe there is nothing better that we can ask than to mandate that I and everybody else who drives kids have the booster seats in

our cars to make sure that the safety of our children is maximized. There's nothing better that a parent can ask than to make sure that his or her children are safe, as much as possible. This bill will achieve that, and therefore I think we all should be supporting it.

To suggest that the extra cost is not affordable is nonsense. If we cannot afford to put a booster seat in our car to make the lives of our kids safer, then it just doesn't make sense. The most important thing that a parent should do is to take care of his children, in my opinion, and there is no question in my mind that the taxpayers or the residents of Thornhill and Concord in my riding will be very pleased with such a bill and they will be supportive of it. They are not going to look for excuses, which both the NDP and the PCs are coming up with. The most important thing is that we do what's right for our children, and this bill will do that.

**The Acting Speaker:** Further questions and comments? The member for Durham.

**Mr O'Toole:** I'm pleased to be recognized, because I did want to put on the record that much has been said on Bill 73 and on the booster seat issue, and it is sort of motherhood. There is no one in this chamber that I can identify who would be opposed to making our children's lives safer. And as a parent and grandparent, I can tell you that I, for one, agree that that's a part of the bill that I support.

Now, I do want to put on the record very clearly that Bill 77 was introduced by the member from Waterloo-Wellington on May 6. It was a couple of days after Minister Takhar introduced Bill 73. It was a reasonable attempt to address the idea of affordability, and I think that compassionate members like Mr Levac and others may decide to accommodate the affordability discussion. You know, we had five children, and possibly it would have meant buying a larger vehicle, with the booster seats and proper belts etc, to transport all of the children. This applies to children up to nine, almost from birth. So Mr Arnott's bill goes a long way to stretch the olive branch out to the government to show that they are not just doing the right thing, they are helping people to conform with the law.

I will be speaking on the bill at some time, probably after everyone here has gone home. I'll be speaking last for the opposition side. But I think there is a checklist here that needs to be brought to the attention of the viewer today. If you're in any way involved with the supervision of children or in the daycare or delivery or transportation arrangements in your community, you've got to be put on notice that hereafter you're going to have to have a child's seat or a booster seat appropriate as in regulation to the weight and size and age of the child. You'd almost have to have a little manual to implement this, but there is a checklist. I'd encourage you to follow up on the bill because it's one of enforcement that creates the problem.

1710

**The Acting Speaker:** The member for Northumberland has two minutes to reply.



**Mr Rinaldi:** I want to thank the members from Simcoe-Grey, Kenora-Rainy River, Thornhill and Durham for their comments. I guess I'm somewhat baffled by some of their comments, or lack of comments. After a few days, the two parties in opposition were chastised by the local media for not wanting to debate, and now they've come to their senses and they want to debate, but they tend to go way off track about what we're talking about.

The member from Simcoe-Grey wants to talk about his rich friends and photo radar. It just blows me away.

My friend from Kenora-Rainy River wants to talk about school bus funding. Well, I've met with my two school boards. Yes, there are challenges, there is never enough, but it's the first increase the school bus drivers got in a long time. I also met with the school bus operators, my friend Jeff Leal and I, prior to our budget, and I'll tell you, those bus drivers or owners are a lot happier today. But, once again, they want to go off base.

I thought the member from Toronto-Danforth, who spoke before, was fairly supportive of our bill. I did touch on a lot of those highlights in the 10 minutes that I was allotted to speak before. We need to stick to the crux of the bill. Yes, if there is tweaking needed, I think we're prepared to tweak it as the government, but it is very important that we get this legislation through because, as the clock ticks, we're not being responsible to look after what we have identified as something we need to be responsible for. As legislators in this province of Ontario, we owe it to the parents, the grandparents and, most of all, to those kids to make sure they get the best protection possible.

**The Acting Speaker:** Further debate on Bill 73?

**Mr O'Toole:** It's a pleasure to have a small bit of time allocated to speak to this important amendment to the Highway Traffic Act, and I also want to pay some respect to comments made earlier by the opposition, specifically the member from Whitby-Ajax who, in practising law, is very much aware of the issue of child safety and liability, as he did practise in that area. He did—and I listened to his comments very carefully—make very technical reference, which many members here have avoided addressing in their responses, and I would not attempt to address it, except it is worth referring to clause (6) of the bill, which the member from Simcoe-Grey referenced very briefly.

He said that this is the game of the Liberal government. For much of what the bill contains, there would be unanimous agreement with implementing those safety measures for children and for novice drivers. There could be some debate about the implementation of the regulations. I'm sure that there will be consultations with school bus operators and such. But what is injected in here is the stealth mode that the Liberals operated in. They have actually injected in here an opportunity to reinstate something that's quite controversial: photo radar. In fact, the way they introduced it was rather complicated itself, because Minister Takhar, in one press release and scrum, did indicate that it was being dis-

cussed, and then quickly, when the Premier contradicted him, that very day, he retreated. Then the next day, they must have done a poll overnight and found that perhaps there was some traction from the lower-tier municipalities which, under the Provincial Offences Act, get the revenue under the new municipal-provincial relationships that we set in place.

The argument then becomes that it's a cash cow issue. Now, we did, under some pressure from working with the city of Toronto primarily, implement a pilot strategy to implement the red-light-running issue, the cameras at dangerous intersections, and it indicated that there was some evidence of reduced incidents at the intersections and so it was our intention to move forward, under the mandate of our government, to regulate it provincially. But it appears to me that this is the stealth method, and they're actually going to, under clause (6), allow municipalities to implement photo radar.

I, for one, have said that the province has a role to be straightforward, clear, accountable and honest with the people of Ontario and say what their intentions are. If you look to the Liberal election platform, they ducked those kinds of issues. There wasn't a single thing on highway traffic safety, and this bill comes up.

In complimenting, I always look to history, as one tends to learn something from that. If I look to the history on the improvements that are proposed under Bill 73—I'm going to give you a small bit of history here. The members should know—I'm asking for their attention here—that the child booster seats were in a bill introduced by the PC government. I believe Frank Klees was the Minister of Transportation. It actually died on the order paper prior to the election. So Minister Takhar's respect for Mr Klees is clearly evident here. He's lifting that prior legislation that died on the order paper from when the Conservative caucus was the government, and it is now enshrined in this bill. So there's a section there that you'll probably find support for—not in the detailed rigours of the number of centimetres and the weight of the child, because there isn't a one-size-fits-all by weight or by age. Mr Speaker, as a parent as well, you would know.

But I do think that, respectfully, the member from Waterloo-Wellington, in his private member's bill, Bill 77, extended the opportunity for the government to do the right thing, and for young working families or caregivers to make the transition for the purchase of the first seat or something like that. Just listen to what the people of Ontario say. It's a prohibitively expensive first-time thing. A good way to implement it, to get these seat things into the marketplace safe and to meet the standards, would be to rebate their retail sales tax. I think that's a small gesture in terms of government expense or lost revenue. That would be something that I would encourage you to do. We will see, when we go to committee, just how receptive you are to any sort of amendment.

My experience to date has been such that we moved in Bill 100—the Minister of Energy, Mr Dwight Duncan's

bill that's going to affect every home and every family in Ontario, that's going to raise the cost of electricity—simple amendments that would have called for public hearings on any rate increases. Every one of our amendments for the people of Ontario was defeated, turned down by the majority of the Liberal members; in fact, unanimously, they were whipped to defeat. So I lack confidence in their ability to listen, Mr Speaker, to your bill or to any amendments that the government may bring forward. They may want to separate parts of the bill because, as I've said on the record, the history is that Mr Klees brought in this legislation.

There's some discussion here—and I want to make this very clear—on Mr Hoy's bill dealing with school bus safety and the idea of drivers passing the school bus when that arm is down and the lights are flashing. That's completely unacceptable road behaviour by drivers. The issue here is drivers, and it's been an issue for more than a decade, if not longer than that. The issue here is that if my neighbour borrowed my car and, mistakenly, while rushing their child to the hospital or something, passed, they would be ticketed. The bus driver would write down their licence number—this is how it would actually work—and forward it to the police and I would get the ticket.

It's important to put this on the record. We implemented a \$2,000 fine for failing to stop at a signalized school bus. Our government implemented that change to the Highway Traffic Act in the attempt to both educate the drivers and put very restrictive penalties on the failure to comply with the law. It's in everyone's interest that we obey the Highway Traffic Act, and there shouldn't be exemptions. But they're moving the liability from the driver to the owner of the vehicle, whether it's one of your children doing these things or not. What if there's a case of a resentful school bus operator—and I dare not suggest anyone would do this—but where they, on their routine routes, are going through the same neighbourhood and they're just frustrated that this one car is always jockeying with them to get to the light or the intersection so they don't get trapped behind the school bus? What if they just get resentful and send in my licence plate number to the police? I get the ticket and I actually haven't violated—I have been charged and found guilty without my day in court. So there needs to be some implementation, or at least discussion on implementation, not failing to recognize the importance of compliance with the law.

1720

The idea of a person who has not paid a fine, on getting their licence renewed, being required to complete the payment of their fine before they get their licence—I have no problem with that.

The implementation of the G2 licence: The intent here is the graduated licence to restrict the number of passengers in a vehicle for someone who has a G2 licence. This means that a teenager with a licence, in the first six months, would only have one person in the vehicle under 20 years of age. Six months later they would allow two, and then six months later they are allowed up to three

passengers, I think it is, under the age of 20 in the car. And then the exemption is that members of the family under the age would be allowed. Can you imagine the red tape in enforcement? I think these kinds of amendments are just red tape and regulations. They really aren't, that I can see in a clear, enforceable way, improving the Highway Traffic Act.

But much of this I support. Much of this is the stealthy game of slipping in the photo radar issue here and also transferring the liability from the operator of a motor vehicle to the owner of a motor vehicle. This is social engineering of the worst kind that's attributed often to the Liberal government of trying to run everybody's life: what size of seat belts you have to have, what kind of booster seats you have to have. Every parent should be educated. That should be the first phase. Making it mandatory some time in the future is the way I would implement this important change. But, for the most part, I think the bill should go to committee, and at that point further amendments and refinements will be made. I think you'll find the opposition in conformance with much of the act.

**The Acting Speaker:** Questions and comments?

**Mr Hampton:** Once again, I've listened intently to the speech made by my colleague in the Conservative Party. I want to say that, again, the issue raised of whether or not this is a backdoor, by-stealth reintroduction of photo radar is something that should go to the legislative committee and be looked at with greater detail. Hopefully, at committee we'll be able to call forward some legislative counsel, and also some of those folks who may have worked on the photo radar project in the past, and we'll at least be able to give greater certainty to the people of Ontario of what is, in fact, in the bill and what impact it will have. So I support the member's insistence that the bill go to committee.

To repeat what I said earlier, the government has put a lot of promotional effort into this bill. The government, I think it's fair to say, has tried to say to the people of Ontario that this will somehow be the be-all and end-all of transportation safety in terms of buses and car seats and some of the other measures. So I think at committee we'll be able to see if this legislation meets the test. Of course, that committee will also be able to ask some of the questions as to why some of the school boards that will be charged with implementing this legislation are losing substantial amounts of their transportation budget, the budget which would actually be used to pay for school bus improvements and the updating of school buses.

**Mrs Carol Mitchell (Huron-Bruce):** It is my pleasure to rise today and speak in favour of Bill 73. In the McGuinty government, we are taking action to protect young Ontarians. A recent Transport Canada survey found that one third of school bus drivers sampled observed at least one incident of illegal passing each day. Of all the sampling that was done with the bus drivers, that's how many of our children in Ontario are put at risk each day.



So it's with pleasure that I rise today to support Bill 73. This will begin to further ensure the safety of our children. It is a very comprehensive three-pronged approach, and I want to speak to the three prongs right off the bat. They are the booster seats, the school bus safety, and then the graduated licences.

**Booster seats:** When my children were small was when they first came in. They can be quite difficult and cumbersome, but they really do save lives, and they are very important, not only for the children's safety but the parent's safety as well. When you know they are in a contained unit and you know they are safe, you can then focus on your driving.

**School bus safety:** We cannot do enough to ensure our children are safe going to receive their education on a daily basis. To me, what is recommended simply makes sense. I've seen it working in many jurisdictions and it certainly has been proven.

**The graduated licences:** Being the mother of teenagers, I know how, with the very best intentions, things can go awry when there are more in the car.

Certainly Bill 73 speaks to those concerns and will address them.

**Mr Wilson:** As I've said this afternoon and in debate last week on this bill, I'm somewhat suspicious why photo radar is in this bill. My honourable colleague Mr O'Toole did an excellent job of pointing out the section in the bill. I wish the government would actually admit what they're up to in this area. So I hope the bill goes to committee.

I would like to say, on the issue of transportation, that I have not heard back from the government, and I have raised at least a dozen times each of the following issues.

Highway 26 seems to be cancelled in my riding. It's a road going to nowhere. The mayor of Collingwood got a letter this week from the Minister of Transportation, Mr Takhar, and it says the reason the highway is stalled is, "We're working on further design and property acquisition." Well, that simply is a real bend, given that the property acquisition is done, and surely to God the bureaucrats and engineers at the Ministry of Transportation who started this highway two years ago wouldn't halfway through the project be trying to figure out the design. So I don't think we're quite getting the full story from the government. There are other words for it, but the fact of the matter is that the design is completed, the open houses were held three or four years ago, and the highway is about half done. It's just a small piece of road, and it's about safety, it's not about politics.

Secondly, the traffic lights that are needed in front of the Nottawasaga Inn and Green Briar: I don't know how many times I have to bring it up. They must think it's a joke. Two people were killed there last year. Their crosses are on the guard rails and the flowers seem to be renewed every week when I drive by. So two loving people who worked at the Nottawasaga Inn were killed, and I get the brush-off from the government on this issue. Folks, do you never want to have a hope in Simcoe-Grey of ever appointing a Liberal member? Keep this up, and you never, ever will.

**The Acting Speaker:** The member for Durham has two minutes to reply.

**Mr O'Toole:** It's a pleasure to acknowledge the member from Kenora-Rainy River, as well as the members from Huron-Bruce and Simcoe-Grey, the more recent speaker.

I want to say that the leader of the NDP is quite correct in making sure this goes to committee. If the House can function properly and there could be acquiescence on behalf of the government to pull certain sections of the bill, you would have unanimous agreement. That's the way government works effectively. We'll just see. It's a matter of leadership and confidence, I put to you, as to whether or not this bill passes in time to keep our roads safe.

1730

In the limited time, I want to put on the record that for me the personal application of this stands before me. A month from today, my daughter Rebecca and her husband, David Lohse, are coming to Canada from Australia. They are also bringing with them our two grandchildren, Meghan and Daniel. They're both under two years of age. In fact, one is only about six months old. I'm concerned about having the proper safety seat as well. I put to you that all parents or grandparents have the same concerns.

This is not unique. If you look at the history, this was on the legislative order paper when the election was called, so it's not something that we disagree on, but it applies to each of us as parents or grandparents or caregivers. I think of it in a personal way. I wanted to put it on the record because I look forward to them as a family joining us for Christmas and look forward to buying two seats. I'm also looking forward to your support on Bill 77, which would give me a provincial sales tax rebate, thanks to Mr Arnott.

We can work together. We can help you to run this province properly for the next three years, because in four years we intend to be back on that side. We'll do things by listening and working to make Ontario a better place to live, work and raise your family.

It's been a pleasure to be part of this debate. I look forward to working with you in committee.

**The Acting Speaker:** Further debate on Bill 73?

**Mr Hampton:** I'm pleased to take part in this debate, because there are a few questions I want to raise. Let me move through some of the issues fairly quickly; first of all, the issue of forward-facing booster seats and that this will now require some older children who are not infants to have forward-facing booster seats. I think most of us would be in favour of this. I think we need to talk and ask some questions in committee about how this will be facilitated in all cases.

Second is the issue of graduated licences and how this will work out. Again, there are some nuances here that will have to be looked at carefully in committee, and some questions will have to be answered, but I think most of us are fairly well convinced that graduated licensing has had a positive effect in terms of new drivers

and providing new drivers with the support to become better drivers.

I don't have a lot of questions or issues with those, but where I do have some questions is with respect to school bus safety. Let me say that I believe most people across Ontario want to ensure that our children, should they be transported in school buses, will be as safe as possible and that all aspects of their safety while they're in a school bus are being looked after.

The government has proposed that there be some physical changes made to school buses. One would be that all new school buses will include a safety crossing arm to prevent children from walking into the bus driver's blind spot at the front of the bus when they're crossing streets. I don't think most of us have any trouble with that. All school buses will have decals indicating a maximum \$2,000 fine for passing a stopped school bus. I don't think we have any trouble with that.

But these are actual physical changes to buses. In some cases, boards of education will have to make arrangements for new buses. It simply wouldn't make sense to take an older bus and make these physical changes; it wouldn't be a good investment. But if you're going to go out and buy new buses or you're going to lease new buses or you're going to purchase the services of new buses, that's a fairly expensive undertaking, and that leads me to the next issue. It's one thing to propose some additions to child safety in school buses; it's another thing to pay for them. If the government's going to propose these changes, you would think it would ensure that there is money, there's a budget so that school boards, wherever they may be located across the province, will be able to pay for them.

There's where the problem is, and the problem is that if you look at the funding, the so-called transportation allocations for school busing, you'll find that there are a number of school boards across this province whose allocations for school bus arrangements are being cut. In fact, there are more than 30 boards of education that will actually lose funds for busing and for the purchase of school bus services beginning in 2005-06.

What this reminds me of is that under the former Conservative government we saw them download responsibility for ambulances. The downloading of ambulances was supposed to be cost-neutral; that is, the municipalities and municipal bodies that picked up ambulances were not supposed to be hit with cost increases. In fact, they've been hit with major cost increases. In my constituency, the Kenora District Service Board has been hit just in the last few weeks with a \$1-million increase in costs. Municipalities are literally staggering, trying to figure out how they are going to pay for this million-dollar increase in costs. Everywhere you go, municipalities are being hit with these cost increases.

I look at what the McGuinty government is proposing here. They want to boast to the public, "We're going to do something to improve school bus safety," but there are 30 boards of education that are actually losing in terms of their school bus allocation. They're probably wondering,

"How are we going to pay for this? How are we going to do this?" This is an important question. I want to actually go through some of the boards that are losing substantial amounts of money for busing.

Let's take, for example, the Thames Valley District School Board, which will lose \$2 million of their allocation for school busing; or how about the Durham District School Board, which will lose \$3.5 million; or the Hamilton-Wentworth District School Board, which will lose \$1.5 million; or the District School Board of Niagara, which will lose \$2 million; or the Ottawa-Carleton District School Board, which will lose \$1 million; or the Northeastern Catholic District School Board, which will lose \$1 million; or the Thunder Bay Catholic District School Board, which will lose \$2 million; or the York Catholic District School Board, which will lose \$2.5 million; or the Durham Catholic District School Board, which will lose \$1.5 million; or the Halton Catholic District School Board, which will lose \$1 million; or the Waterloo Catholic District School Board, which will lose \$2 million; or the Ottawa-Carleton Catholic District School Board, which will lose \$10 million of their school busing allocation; or the Conseil scolaire de district du Centre-Sud-Ouest, which will lose \$1.5 million; or the Conseil scolaire de district catholique Centre-Sud, which will lose \$1 million?

This is a very germane question. The McGuinty government is saying, "We're going to improve school bus safety," but at the same time the devil is in the detail. You have all these school boards actually losing money. Their money for school board allocation is going to be cut, not just flatlined, by \$1 million, \$2 million and in some cases \$10 million. How are they going to pay for new school buses with these additions to the school bus, or how are they going to pay for physical changes to the school buses they have now, when their actual budget is being cut?

I just want to review some of the background of this. During the election, the McGuinty government promised to reinvest in school bus transportation. They didn't promise to take from some and give to others; they promised to reinvest. But what is actually happening here, as I say, is that more than 30 boards will lose funding. The McGuinty government is actually playing lottery with school bus transportation funds. In this case they'll be playing lottery with school bus safety for over 30 boards of education, and they say, "Oh, well, on the overall, there's going to be a slight increase in funding for school board busing." In the overall, more than 30 boards are going to lose, and lose substantially. This is the same shell game that the Conservatives used to play. They'd make a big announcement and then, when you saw the details, you saw there was no new money; the money was actually coming from other boards of education or from other municipalities, whatever the case may be. That's exactly what's happening here.

1740

What's the result? Even before these proposed changes are being implemented, you actually have boards



of education cutting school busing. For example, the Durham District School Board is cutting school busing. They're saying to literally hundreds of kids: "Yes, you used to ride the school bus before. Now you're not going to ride the school bus. Your parents will have to make other arrangements to get you to school." If they're already cutting school busing, how is the Durham District School Board going to pay for what is obviously going to cost more in terms of the physical changes that will have to be made to buses?

This is a big reason why this bill should go to committee. This is a big reason why this bill should be looked at very carefully in committee, because it seems to me that once again the McGuinty government is promising something up here but is going to deliver something down there. And school boards will be put in the position of having to wrestle with the big difference between the promise made and the meagre delivery. So I think this should go to committee.

Having said what I want to say, what I need to say about this bill, I am actually going to cede my remaining time and ask the government, why don't you put this bill to a vote now?

**The Acting Speaker:** You don't have any remaining time, but there are questions and comments.

**Mr Lalonde:** Bill 73 has three parts: children's car seats and booster seats, graduated licences for young drivers and school bus safety. Let me tell you that, yes, we are for the safety of our kids. At the present time, what we are proposing is mandatory safety crossing arms on all new buses manufactured after January 1, 2005. At the present time, 50% of school buses already have this safety crossing arm, and this will add only 1% of the total cost to the manufacturer to build those buses.

But let me tell you also that a safety crossing arm prevents children from walking into the blind spot when they are crossing in front of the bus. We also have to protect our drivers. Most Canadian jurisdictions have already adopted those standards.

I also have some good comments and reaction here from stakeholders, and I'm going to read a few. Valerie Lee, Infant and Toddler Safety Association: "Motor vehicle crashes are the number one cause of death for young children. So we really need to be doing this." This is a clip from CFTO News of May 3 past.

I have another one from Jack Smith, Canada Safety Council: "We believe it'll make the roads safer for Canada's children, but particularly Ontario children, and we're hoping other provinces hopefully will follow suit." That is from CFTO News of May 3, 2004.

**Mr Barrett:** The member for Kenora-Rainy River raised a good question on one aspect of this legislation, which does include a number of disparate sections. The question is, how do we pay for this? Both the member for Kenora-Rainy River and the previous speaker, the member for Durham, raised the issue and the call for further discussion on the implementation of this legislation.

My issue with the mandatory booster seats for children under the age of eight—we know the weight limits and

the height limits. We know why this is being put forward—it's all about safety—and I don't think we question that at all. This is one reason that we put this forward two years ago to our Minister of Transportation at the time, Norm Sterling. There was an election held within the last two years. At that time, and that would be back in December 2002, the Hospital for Sick Children, through Dr Andrew Howard, indicated: "If the use of booster seats becomes as common as seat belts for adults and car seats for younger children, we will remove a major cause of injury, disability and death." We don't argue with that at all; my concern is, how do we get there from here? Do we rely solely on legislation? Do we rely solely on increased police inspections? Do we rely solely on negative sanctions, hitting drivers with demerit points and, of course, the attendant threat of losing one's license and losing one's insurance? Is that the way to go?

**Ms Churley:** I'm pleased to respond to the comments made by the leader of the Ontario New Democratic Party, Howard Hampton.

*Applause.*

**Ms Churley:** Thank you, thank you. I think he actually, although he went a little past his time, called for a vote here because we really do think this is an important bill and we're pleased that the government finally brought it forward for us to debate today. As he said, and as I and some of our other members pointed out earlier today, we want this to go to committee. I believe that the government is favourable to that position. We are anxious to get on with it. There are some very important aspects to this bill in terms of child safety that I think we all support.

*Interjection.*

**Ms Churley:** We called for the vote. Are you the whip today?

**Hon Mr Caplan:** No.

**Ms Churley:** Oh good, you're safe. There is the whip.

We support this bill in principle, but as has been pointed out by the member for Rainy River, we have some concerns. I want to come back again to one of our major concerns—I don't think committee is going to resolve this one—and that is the funding for the school boards so when they have to add on these new features stemming from the passing of this bill they will have the resources to be able to do it. Then there's the transportation funds for communities across the province. Yes, they got their 2% increase this year—that's the only thing the government is talking about. But the fact remains—and the Leader of New Democratic Party in fact pulled the form and talked about some of the communities, where it says very distinctly that some of those communities are going to be cut and some are going to do very well. I do not think that the people of Ontario want to see that kind of divide-and-conquer politics again here in Ontario.

**Mr Dave Levac (Brant):** I just wanted to be on the record to make sure that everyone doesn't get lost in the political comments that are being made about the child safety issues, and to make sure that we have on record

the people outside of this House who are actually supporting the type of legislation we're proposing. Let's take a look at the long list of people who support the type of actions that this government is contemplating. They include just some of the Infant and Toddler Safety Association, the Insurance Bureau of Canada, the Canada Safety Council, the Ontario Medical Association, the OPP, St John's Ambulance, the Hospital for Sick Children, the Toronto Police Service, the Ontario Public Health Association, the Ontario Association of Chiefs of Police, Smart Risk, the Ontario Safety League, and there are more lining up to say that this is the right thing to do. I haven't heard anyone say that they are not in favour of this type of policy that we're presenting, and the type of legislation.

What I want to make sure, though, is that people are starting to talk about different views and visions of how we want to implement the safety of our children. There are a lot of people on the other side who started talking about the legalese, getting hung up on that legal stuff out there instead of saying the real simple thing. You know what? If you make me choose between what you think the civil libertarians are talking about and the life and death of a child, I choose keeping the child alive. I want to tell you right now, we better not get caught up in the game of saying "too many laws." If one law like this can get passed to save one child's life, I'll take it.

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I want to ask, and challenge, everybody on the other side who is talking in those types of tones to tell us that you are in favour of having a law that saves our children, and remove the "but," because what is going to happen is that you're going to get hung up—and yes, this will get to committee. It will get to committee, and we'll have those debates.

**The Acting Speaker:** The member for Kenora-Rainy River has two minutes to reply.

**Mr Hampton:** I appreciate the comments that were made. I just say to the government whip that I invite you to use the remaining time we have this afternoon to put this bill to a vote. We've said we want it to go to committee. We think it should go to committee.

We think that committee will allow us to do a further examination. It will especially allow us to examine why some of these school boards are losing so much of their school busing money, which I think is a relevant and germane issue if you're asking them to make improvements in terms of either new buses or physical additions to the buses.

I cede my remaining time and say to the government, stop filibustering your own bill. Put it to a vote.

**The Acting Speaker:** Further debate on Bill 73?

**Mr Leal:** It is a delight for me to have an opportunity to say a few words about Bill 73. It is appropriately titled *An Act to enhance the safety of children and youth on Ontario's roads*.

Talking about a young person, I just want to share with members of the assembly today that it is my daughter's birthday. My daughter is five years old today,

and I know Shunae will appreciate that everybody in the House knows that it's her birthday. She's in SK at St Anne's school in Peterborough and she's in French immersion, a great opportunity that she has there.

And having a son, Braden, who is six, I can certainly appreciate what we want to do in this bill: to make booster seats mandatory for preschool and primary-grade-age children weighing between 18 and 36 kilograms, with a standing height of less than 145 centimetres or a maximum age of eight years. This offers much better protection for children too big for child car seats and too small for safety belts.

I would have thought that with this bill, Bill 73, indeed there would be unanimity in this Legislature to support a bill that will enhance children's safety in Ontario. When you look at the statistics provided by Transport Canada, it says, "Correctly used child car seats reduce risk of injury and death by 75%." Now, who among us in this Legislature wouldn't support a bill that's targeted to reduce child injury and possibly death?

**Ms Churley:** Who's opposing it?

**Mr Leal:** I hear my friends opposite here, whom I have great respect for, but I would have thought they would come together on this particular piece of legislation.

**Ms Churley:** We did. Haven't you been listening?

**Mr Leal:** I just want to review a few things here. It says, from Montreal, May 31, "A new national report unveiled today by Safe Kids Canada"—a very reputable organization—"shows that only 28% of Canadian families use booster seats for their four- to nine-year-old children, the recommended age for this safety device. The report also shows the reasons for this: More than three quarters (84%) of parents mistakenly believe their children are too big or too old for booster seats, or that the safety device is unnecessary. In fact, more than half (53%) of parents believe that children can safely be restrained in seat belts by age six."

We do have a great task out there to educate many in the province of Ontario, and in providing this piece of legislation, we're providing a framework for children's safety to drive the point home that these young children are our future, our leaders of tomorrow. I think we have to look out for them, to make sure that when they are in cars, in these vehicles, they have the proper restraints to keep them safe at all times.

I'm quoting again from Safe Kids Canada, which found that "serious injuries from motor vehicle crashes have been steadily declining since the 1980s, but primarily among children younger than five and older than nine. In stark contrast, the number of hospitalizations for children age five to nine has not dropped even half as much and the number of deaths has not dropped at all. The details:

"Between 1997 and 2001, the death rate from car crashes dropped by 52% among children under age five and by 25% among children 10 to 14, but did not drop for children age five to nine."

That's exactly what this bill is all about, attacking problems for those children between the ages of five and



nine, to provide the safety device that they need when they are in vehicles. As I said, I think we should all be in favour of that and move this forward because it's such an important piece of safety legislation.

I also might add that Safe Kids Canada says, "Between 1994 and 2000, hospital admissions from car crashes dropped by 45% among children under age five and by 40% among children age 10 to 14, but only 18% among children five to nine."

Clearly, a reputable organization like Safe Kids Canada is telling us lawmakers here in the province of Ontario that there is a group of children between five and nine whose safety would be enhanced tremendously if we all support Bill 73.

I want to spend some time talking about school bus safety. In my riding of Peterborough, I would just like to note that Ron Gerow, who's the reeve of Havelock, Belmont, Bethune, a former warden of Peterborough county and a very good friend of mine, has a small, five-bus operation. I had some time to chat with Ron when we first introduced this legislation back in May about adding some new safety provisions for school buses in Ontario.

Ron said to me, "Jeff, it's exactly what the school bus industry in Ontario needs. I want to compliment your colleague the member from Chatham-Kent, who, since 1996, I understand introduced a private member's bill on six occasions to improve the safety of school bus operations in the province of Ontario."

I can't understand any government of the day in which you would have to introduce six private members' bills and not get a message that there was a problem with school bus safety in the province of Ontario. You just have to look at it, something as fundamental as kids in a school bus, and we had to wait from 1996 to 2004 to get a comprehensive bill to come forward for protection of children on school buses. For the life of me, I don't understand why it took that long.

Again, I salute the leadership of the member from Chatham-Kent, a visionary in this area. Like a dog with a bone in its mouth, he just kept trying to move forward and move forward to bring this issue forward. Finally, the

Minister of Transportation, Mr Takhar, saw the light of day and brought forward a fairly comprehensive bill that's covering child safety seats, school buses and graduated licences. He needs to be commended and supported for bringing a key bill forward to address these fundamental concerns that we have in this particular area.

I know there is a cost involved. Parents and grandparents will have to acquire new safety seats for their children or grandchildren, but it's a price that we have to pay for protection of some of the most vulnerable citizens in society. I think it's an investment that we should be making in order to enhance safety for our children.

Going back to the issue of the school bus operations, as I said, I spoke to Mr Gerow and others who are certainly prepared to make the investment with the safety arm for school buses and other changes that need to be made for school buses in the province of Ontario to enhance safety.

The other changes, of course, to the graduated licensing—I applaud the former government that started this process of bringing in graduated licences in Ontario. As a part of this bill, we've seen that evolve. Certainly, I think it provides the opportunity that, as our teenagers grow up, they take on increasing degrees of responsibility. The graduated licence program in Ontario has recognized, as the maturity takes place, that if you move through the licensing system, we all take on additional responsibilities.

So this is a bill to enhance public safety. It's a three-pronged attack: child safety, safety on school buses, and safety through changes to the graduated licensing. It's an ongoing part of a commitment that this government made in the campaign a year ago to enhance safety for all our citizens in the province of Ontario.

Mr Speaker, you're ready to rise. My time must be up.

**The Acting Speaker:** I thank the member for Peterborough for his comments.

It being 6 o'clock, this House stands adjourned until tomorrow at 1:30.

*The House adjourned at 1801.*

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## Assemblée législative de l'Ontario

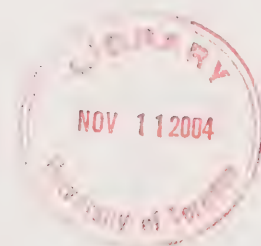
Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 3 November 2004

Mercredi 3 novembre 2004



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Honourable Alvin Curling

Président  
L'honorable Alvin Curling

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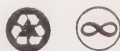
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 3 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 3 novembre 2004

*The House met at 1330.  
Prayers.*

## MEMBERS' STATEMENTS

### ROBYN WAITE

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):**

The outlook wasn't brilliant for the Raiders team that day. They were down by 19 points with just one half left to play. No, Mighty Casey did not save the day, but Robyn Waite did.

On October 15, the Renfrew Collegiate Institute junior football team trailed the Smiths Falls Redmen by a score of 20 to 1 at halftime. In the second half, Robyn Waite got the call from Coach Ed Oegema. With the composure to stand in the pocket, and the vision and experience to evaluate what the defence was doing, Robyn was able to rally the Raiders by compiling 300 yards of offence and secure a 20-20 tie.

Perhaps this comeback does not seem that remarkable; however, it is remarkable, since 15-year-old Robyn is 5 feet, 4 inches tall and weighs only 115 pounds. Oh, and did I mention that Robyn is a girl? Yes, Robyn, who honed her skills while quarterbacking in touch and flag football, is one of the first, if not the first, females to play quarterback in high school tackle football in Canada.

Congratulations to Coach Oegema, offensive coordinator Bill Currie and the entire Raiders team. Congratulations to Robyn, who plays for the love of the game. With her determination and commitment, I am sure Robyn will be successful at whatever she chooses to do.

### PARKS IN MARKHAM

**Mr Tony C. Wong (Markham):** I am pleased to recognize a new addition to the many wonderful green spaces that Markham provides, with the opening of White's Hill Park on October 31. The new park will provide children and adults alike with a space for recreation—a place to kick the soccer ball around, jump rope or perhaps take a brisk walk while enjoying the colours of the fall leaves.

Parks play a necessary role in our neighbourhoods. They provide a meeting place and space for recreation, and encourage a sense of community. It is vital, particularly in urban areas, that we ensure the continuance of green space, not only to improve our air quality but our heart rates as well.

I'm pleased to say that the town of Markham provides a number of parks filled with pathways, playgrounds, tennis courts and hills for tobogganing. With over 600 acres of green space, the town of Markham provides an opportunity to build strong, healthy communities by promoting and encouraging recreational activities.

By engaging in physical activity, Ontarians will not only become more fit and healthy but will improve their quality of life. The McGuinty government is assisting communities in becoming more physically active by investing \$5 million in Active2010, a program to promote and encourage the benefits of physical activity. I encourage people of all ages to take advantage of Markham's new White's Hill Park and get active today.

### GREENBELT

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to welcome Lincoln Mayor Bill Hodgson, Grape Growers of Ontario executive director Debbie Zimmerman, chair Ray Duc, and Len Troup, among others, in the media studio today bringing forward their plans for a more responsible greenbelt strategy that will actually support farmers, residents and municipalities in the Niagara Peninsula and hopefully in other parts of Ontario as well.

They make a great point: They're very concerned that if the greenbelt is implemented improperly, it will create new pressures on farmers and force small towns to reduce services and/or dramatically increase property tax rates.

These findings should really come as no surprise to my colleague the Minister of Municipal Affairs and Housing. Farmers, mayors and taxpayers, through the public hearings, all told him that while preserving green space is a good idea, to be successful it must be accompanied by a plan to support those impacted by it.

Last June, I released a responsible greenbelt strategy as advice to the minister, a strategy that supports municipalities whose future growth is frozen by the current plan. It recognized that if you want to save the farmland, you need to save the farmer and support our farmers across Ontario, and incorporated an important transportation plan for Niagara, the mid-peninsula corridor, to move some of that pressure from the tender fruit lands to south and southwest Niagara.

Unfortunately, in the estimates committee when I asked the Minister of Municipal Affairs if he had a plan to support our municipalities and where the money was, he said, "No, we do not." We had the same sad answer for agriculture.

They need to act for a responsible greenbelt plan.



## FLOYD HONEY

**Mr Michael Prue (Beaches-East York):** I rise today to salute the life of Floyd Honey. Floyd Honey was known to us in East York, in Crescent Town and in Toronto. He was a remarkable man who began his career in China, helping the peasants of that country to rebuild their lives. He was forced to leave in 1951, when the Maoists took over and foreigners were not as welcome as they were before.

He came to Canada and worked for both the Canadian and World Councils of Churches until his retirement, but the reality is that he never, ever retired. He spent the remaining time of his life fighting for causes like ending homelessness in Ontario and in Canada, and advocating and working for decent housing for all.

In July 2002, on his way home from a homeless vigil at the age of 86, he walked most of the way, got a little tired and decided to take the subway. Unfortunately, the subway train came and blew his hat off. He reached down to get it and was fatally injured by the subway train.

People in East York were shocked. They could not believe that one of our icons, one of our heroes, had died so suddenly, and they committed themselves to do something about it. His daughter started a walk, called the Floyd Honey Walking Home. A couple of weeks ago, on October 24, 300 people showed up. They raised over \$50,000 for homelessness in Toronto, and that money is going to the Touchstone Youth Centre in East York.

People in East York remember him. We remember him not only in his death, but his memory lives on in the great works he did.

## VETERANS

**Mr Michael A. Brown (Algoma-Manitoulin):** On November 1, I was in attendance at two important and significant ceremonies. On Monday morning, I joined the Lieutenant Governor, the Honourable James Bartleman; Chief Nicole Peletier-Southwind; Deputy Grand Chief Nelson Toulouse; legion members from Blind River and Elliott Lake; MP Brent St Denis; members of the Serpent River First Nation, and members of the broader community in remembering the aboriginal veterans who distinguished themselves in the service of Canada.

The master of ceremonies for the ceremonies for the event was Carol Shawana of the Ontario Provincial Police. The Genaabahjing Youth Drum under the leadership of Rob Essex and the OPP Aboriginal Drum provided a fitting context for the ceremony.

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The Lieutenant Governor and the assembly honoured surviving veterans Art Meawasige, Scott Johnston and Albert Owl for their services to Canada and freedom.

Later that day I joined Chief Franklin Paibomsai of the Whitefish River First Nation, the community, legion members from Manitoulin and Espanola, and veterans including Art McGregor, Ontario Regional Chief Charles

Fox and Brent St Denis in dedicating a new monument to veterans.

The monument is situated to face west and is engraved with the names of veterans who served Canada in the great wars. The monument utilizes a striking natural setting to inspire both awe and reverence for all those who have saved freedom in our nation.

Chi Meegwetch.

## HOSPITAL FUNDING

**Mr John R. Baird (Nepean-Carleton):** At the outset of my remarks, I'd like to recognize the presence in the gallery of two residents of Ottawa who are visiting Queen's Park today: Graham Bird and his daughter Alana Bird. I'd like to wish them a special welcome.

Later today we will debate an important resolution. This is an opportunity for all of us as MPPs to stand up and vote. The resolution before us today says that we "call upon the government,

"To guarantee that no nurses will be laid off and no hospital beds will be closed over the course of the mandate of the McGuinty government."

This is an opportunity for the band of Liberal MPPs opposite to stand one by one and be counted.

Hospitals right across Ontario are putting in proposals to this minister to fire nurses and to close hospital beds. Our campaign here in the official opposition, under the leadership of John Tory, is to save the nurses' jobs, to keep waiting times down and to not see beds close.

We have had a sorry record in this House on the government side since the last election. We brought forward a resolution on the opposition side to stand up and defend the Ottawa Hospital, and not one Ottawa-area MPP dared to stand up and speak on behalf of the Ottawa Hospital asking for a raise, an increase less than the rate of inflation.

Now we have London, where every London and southwestern Ontario government member has been missing in action. We have not seen them standing up and defending the London Health Sciences Centre. Today they have an opportunity once again to do that.

## TAKE OUR KIDS TO WORK DAY

**Mr Tim Peterson (Mississauga South):** It's a pleasure to rise to a subdued House. Today is Take Our Kids to Work Day. This great program, which is celebrating its 10th anniversary—

*Applause.*

**Mr Peterson:** Thank you. Today this great program is celebrating its 10th anniversary. As the name suggests, this program allows grade 9 students to come into the workplace and experience first-hand what it's like to be in the working world. It allows our children to experience the importance of applying the education and skills training they are learning in school. It further opens their minds to the working world and the options and opportunities that await them.

It is expected that hundreds of thousands of grade 9 students will go to more than 75,000 workplaces across our great country and province. In every province and territory, they will experience a huge variety of career options.

So, on behalf of this House, we would like to thank all the workplaces across Ontario that are participating in this great program for their efforts to open their doors to the minds of our students. And on behalf of this House, I'd like to send kudos across the province to all the students who are participating in this great program.

### CONTAMINATED PROPERTIES

**Mr Dave Levac (Brant):** I understand that an inter-ministerial committee has been struck to deal with the serious issue of properties escheated to the crown, some of which are contaminated and dangerous. Although it is a positive step in dealing with this important issue, it is not at all helpful for the awful situation in the riding of Brant.

Just this week, a devastating fire broke out at the former Crown Electric property in Brantford. This is the third such fire this year. Thankfully, no one was hurt in the blaze, but residents of the area, indeed of all of Brant, are demanding action from the province. I am too.

The city of Brantford seized the property yesterday to protect the nearby school, church and hospital and to shield the dozens of homes in the area from potential disaster. The city has spent a great deal of money to clean up after disasters like this one, but still more must be done.

The Brantford site and others like it can pose a serious danger to people not just in my riding but across the province. Many of these sites remain vacant because they can't be sold, which simply increases the danger to the surrounding community. I know the public guardian and trustee does not manage the lands escheated to the crown and is not able to take responsibility for them, but clearly, the province must be a partner.

I welcome the news that our government is taking some action to deal with the serious issue that sites like Brantford present. I challenge all of us to resolve these concerns before somebody gets seriously hurt.

### GREENBELT

**Mr Kim Craitor (Niagara Falls):** I'd like to talk about two things that Ontarians are proud of: Ontario's natural heritage and its fine wines. Through our government's vision of the greenbelt, we are preserving and protecting both. Our greenbelt protection plan will help protect forever a total of 1.8 million acres, an area the size of Algonquin Park.

The greenbelt will help stop urban sprawl on our most precious specialty croplands that grow the foods we eat, like the Niagara tender fruit and grape lands.

The Niagara Peninsula is the home of 66 wineries. Niagara makes up Canada's most celebrated grape- and wine-producing region. Niagara wines are making a

splash on the national and international stage. By creating a greenbelt, we are ensuring the continued success of Niagara's grape lands.

Don't just take it from me; take it from Ray Duc, grape grower and owner of Forrer Farms: "The fact that the urbanization of our unique agricultural lands will be prevented is great news and it will help produce more VQA wines."

As Debbie Zimmerman, CEO of the grape and tender fruit growers, said, "This is a crucial issue, not only for the wine growers but for the future of tourism, agriculture, transportation and economic growth in the Niagara region generally."

### VISITORS

**Mr Tim Hudak (Erie-Lincoln):** On a point of order, Mr Speaker: I just wanted members to recognize a few guests here today: Rachel Kelly from beautiful, bucolic Dunnville; Brittany Richards and Jordan Fairclough, niece and nephew of Sonia Richards, one of my favourite people from the good old days at the Ministry of Culture, Tourism and Recreation and the Ministry of Consumer and Business Services as part of grade 9 Take Our Kids to Work Day.

**The Speaker (Hon Alvin Curling):** That wasn't a point of order, but let's listen to this point of order.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm very pleased to bring to the attention of the House, in the centre of the Speaker's gallery, a young woman by the name of Kendra Wharton, part of Take Our Kids to Work Day, a very important person in the riding of Toronto Centre-Rosedale. She is accompanied by a visitor to Toronto Centre-Rosedale, a former member of the Legislature, John Snobelen.

**The Speaker:** Another point of order? Let me hear this one.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'd like you to recognize in the gallery Marilyn Mercer, a local watercolour artist from my riding, and her husband Joe. One of her watercolour pictures is hanging in the Hansard office.

**The Speaker:** Let me just get this organized a bit. How many points of order are left to be done?

**Mr Jim Wilson (Simcoe-Grey):** I know members would want to welcome to this Legislature a group from the Angus legion, who are here to celebrate, in a non-partisan way, the proclamation of Veterans' Day, which will be celebrated on August 9 in this province from here on. They are Irwin Collier, Thomas Knight, Iola Knight, Nancy Willoughby and Doug Burden. Welcome.

**Ms Andrea Horwath (Hamilton East):** I'm pleased to ask the House to recognize my niece Kate-Lynn Benvenuti, who's here from Hamilton on Take Our Kids to Work Day.

**Mr Norm Miller (Parry Sound-Muskoka):** On another point of order, Mr Speaker: I'd like to welcome peacekeeper Bruce McPhail and Ruth Ann McPhail here from Bracebridge, as well as retired Major-General Lewis MacKenzie.



**Mrs Carol Mitchell (Huron-Bruce):** On a point of order, Mr Speaker: I'd like to welcome Catherine Simpson. She is also here from the riding of Huron-Bruce for take a teenager to work today. She's my adopted daughter for the day, so I'd like to welcome her.

**Mr Michael Prue (Beaches-East York):** On a point of order, Mr Speaker: I would like to welcome Marisa here today. She is the niece of one of my constituency assistants and she's here to discover the wonders of Queen's Park.

**The Speaker:** The government House leader has the last point of order.

1350

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On the same point of order, I'd like to welcome my son, Sean Duncan, who's accompanying his dad to work today, in the gallery.

**Mr Ted Chudleigh (Halton):** On a point of order, Mr Speaker: I'd just like to welcome everyone in the gallery who hasn't been introduced today. Welcome to Queen's Park.

**The Speaker:** Well, my generosity ends there.

We have with us today, in the Speaker's gallery, a delegation from the Russian Federal Assembly: the Federal Assembly Committee on Local Governance. So now will you all please join me in welcoming the members from the Russian delegation?

*Applause.*

**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker?

**The Speaker:** If it is not the same point of order, please.

**Mr Ruprecht:** I'm sure that all members wish to extend a special welcome to the Consul General of the Russian Federation, Mr Smirnov, who is sitting next to Mr Roketsky.

## INTRODUCTION OF BILLS

### EDUCATION STATUTE LAW AMENDMENT ACT (TEACHERS' ASSISTANTS), 2004

#### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'ÉDUCATION (AIDES-ENSEIGNANTS)

Mr Flaherty moved first reading of the following bill:

Bill 143, An Act to Amend the Child and Family Services Act and the Education Act with respect to teachers' assistants / Projet de loi 143, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur l'éducation en ce qui a trait aux aides-enseignants.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Jim Flaherty (Whitby-Ajax):** I've introduced this bill to ensure that there are province-wide measures in place to keep students safe. This bill will give school

boards across the province the power and the obligation to ensure that there is a mandatory screening system in place for school volunteers. It will require school boards to conduct a criminal record check for volunteers; if applicable, to obtain the disciplinary record maintained by the Ontario College of Teachers; if applicable, to obtain the disciplinary record of another board with respect to the time during which the person was an employee of the other board; and a school board would also be authorized and required to inspect the child abuse register, maintained under section 75 of the Child and Family Services Act.

Mr McGuinty promised—this is promise number 13—that he would make our schools safe so that students can concentrate on learning. That promise has not been kept. The Minister of Education was asked twice by me in this House on this issue: June 21 and October 21. He promised to bring in legislation. It has not come to this House. So we've done the work, and I'm sure the members opposite will support this bill given their commitment to make our schools safer for children.

### LABOUR RELATIONS STATUTE LAW AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT DES LOIS CONCERNANT LES RELATIONS DE TRAVAIL

Mr Bentley moved first reading of the following bill:

Bill 144, An Act to amend certain statutes relating to labour relations / Projet de loi 144, Loi modifiant des lois concernant les relations de travail.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Bentley?

**Hon Christopher Bentley (Minister of Labour):** I defer it to ministerial statements.

### PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT (HASTINGS AND PRINCE EDWARD REGIMENT MEMORIAL HIGHWAY), 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN (ROUTE COMMÉMORATIVE HASTINGS AND PRINCE EDWARD REGIMENT)

Mr Parsons moved first reading of the following bill:

Bill 145, An Act to Amend the Public Transportation and Highway Improvement Act to name a portion of Highway 62 and Highway 33 the Hastings and Prince Edward Regiment Memorial Highway / Projet de loi 145, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun pour nommer une

section des routes 62 et 33 route commémorative Hastings and Prince Edward Regiment.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Ernie Parsons (Prince Edward-Hastings):** The United Empire Loyalists who settled in the counties of Hastings and Prince Edward organized the first local militia unit for self-defence, with the 1st Regiment of Prince Edward Militia being formed in 1800 and the 1st Regiment of Hastings Militia in 1804. These regiments provided units that served in the War of 1812 and the Mackenzie rebellion of 1837-38.

The Hastings and Prince Edward Regiment is the modern descendant of these militia units and has seen service in World War I at Somme, Arras, Hill 70, Ypres and numerous other locations. The regiment mobilized on September 2, 1939, and fought in Greece, Sicily and Italy, and took an active part in the liberation of Holland. It earned 31 battle honours, at a fearful cost.

I believe this is an opportunity to recognize, on a daily basis, the incredible contribution made by the Hastings and Prince Edward Regiment in ensuring that we enjoy the benefits of democracy in our country.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### LONG-TERM CARE

**Hon George Smitherman (Minister of Health and Long-Term Care):** I rise today to inform the House about our government's progress in improving long-term care in the province of Ontario. Some of my colleagues might remember that last December I promised a revolution in long-term care. That was in response to a situation that we inherited, one that I am being kind in characterizing as completely unacceptable. Members of this House will no doubt remember the stories that surfaced last year—stories of long-term-care residents suffering from poor care, neglect and sometimes outright abuse in the only home they have, and at the hands of those who are responsible for their care.

I said then, and will repeat now, that we need to change the culture of long-term care in this province. I said that we need to change long-term-care facilities into long-term-care homes. I said that the seniors of this province deserve better. Well, under this government, they have been getting better, and they are going to continue to do so.

Within months of our forming the government, I appointed my parliamentary assistant, Monique Smith, to conduct a comprehensive review of long-term care in Ontario. In May, Monique released her report. It was very much a platform for action, and we have taken action. We invested additional funding of \$191 million this year, to hire 2,000 new long-term-care staff, including 600 nurses. This funding will allow our long-term-

care homes to meet a consistently high standard of care. We have reinstated the requirement, removed by the previous government, that a registered nurse be on site 24 hours a day and passed regulations ensuring that residents receive at least two baths a week. We're increasing funding to establish residents' councils and family councils in all homes to ensure a better voice for residents. We've increased the comfort allowance for long-term-care residents for the first time in 19 years and frozen the accommodation fees they are required to pay for the first time in 11 years. We've adopted a policy of unannounced visits and inspections to better monitor the situation in these homes and ensure that seniors are being treated with the respect and care that they deserve.

All of this is what I would describe as a very good start, but the job isn't done, and neither are we. Next spring, we plan on presenting to this House our government's new long-term-care homes act. The proposed act will be designed to bring together the three different pieces of legislation that presently deal with the operation of these homes: the Nursing Homes Act, the Homes for the Aged and Rest Homes Act, and the Charitable Institutions Act. It should be obvious that something as important as the long-term care of our seniors should not be subject to the confusion and inconsistency inherent in three different pieces of legislation.

Our proposed long-term-care homes act will ensure standards and accountability that are uniform and modern, but it will do a great deal more than that. It will be centred around the needs and desires of the residents of these homes. The transformation of long-term care in Ontario is a major component of our overall plan for the transformation of health care. That plan is based on making patients and residents the focus. It depends on putting patients and residents first. Our long-term-care homes act will put them first. To that end, we're going out directly from the residents themselves to find out how they think we can best do that.

### 1400

We have released a discussion paper dealing with our plan for improving long-term care. It's available on the Web, and hard copies are being distributed in long-term-care homes, senior centres, community care access centres and libraries across our province. We want to engage seniors, their families, long-term-care providers and other concerned Ontarians in a dialogue about the future of long-term care.

The discussion paper provides an outline of where we want to go in long-term care in Ontario. It then asks specific questions and requests specific answers.

The paper focuses on five key areas:

—Quality of life and care for residents: We've already accomplished a great deal in this regard and we're determined to do more. We want to ensure that our seniors enjoy the very best living standards possible.

—Residents' rights, and combating abuse and neglect: Residents of long-term-care homes absolutely must be protected from financial, sexual, emotional and physical abuse and neglect. We're going to put procedures in



place to encourage people to report instances of abuse and we are going to protect them when they do so. Strong whistle-blower protection will be a major component of the proposed legislation. Residents and their families will also have their voices strengthened through the mandating of family and resident councils.

—Compliance, inspection and enforcement: Our proposed legislation will contain stronger inspection and enforcement measures designed to make long-term-care operators fully accountable for what goes on in these homes. One way or the other, if seniors are not receiving the care they deserve, if they are not being treated with the respect and dignity to which they are entitled, we will find out about it and we will act.

—Licensing: We are proposing to link licensing of long-term-care homes to factors such as bed needs, capital planning and enforcement issues.

—Planning and maintenance of homes: You can build the best structure in the world, but it's not going to last long if it's not properly maintained. Our proposed legislation will promote the physical maintenance and renewal of our long-term-care homes.

We want to hear from Ontarians on all these subjects. In addition to our discussion paper, we will be conducting public meetings and holding discussions with stakeholder groups. The responses we receive will inform our thinking as we draft this legislation, as we continue to put patients and residents first in our transformation of health care, as we move forward to ensure that our seniors live in homes, not facilities, and as we move forward in a revolution in long-term care that will be a model for, and the envy of, all of Canada.

## LABOUR RELATIONS RELATIONS DE TRAVAIL

**Hon Christopher Bentley (Minister of Labour):** I rise to present the House with details about the proposed Labour Relations Statute Law Amendment Act, 2004, which I had the honour of introducing a few minutes ago.

Ontario's prosperity has historically relied on a fair and balanced approach to labour relations. Fairness and balance promote confidence in the law, which encourages productive relationships. This approach helped ensure a prosperous Ontario for decades. It was an approach to labour legislation recognized and supported by those of all political stripes.

Unfortunately, recent years have seen a departure from those principles. Long-term stability was sacrificed for short-term advantage. This was not in the best interests of the province. It is time to restore the fairness and balance that have long characterized Ontario's labour laws.

Il faut rejeter l'approche unilatérale et provocatrice des relations de travail. Un manque d'équité ou la perception d'un manque d'équité mine la confiance dans le système. Cette approche nuit aussi à la productivité et a un impact négatif sur l'économie de l'Ontario.

Let me elaborate on some of the specific parts of the legislation.

First, we would repeal the requirement for unionized businesses to post and provide information outlining the procedures for decertifying the union. Businesses must pay to post this information, whether they want to post it or not. Interestingly, there is no corresponding requirement for non-unionized businesses to post certification information. It is not clear what purpose this requirement serves, other than the obvious one. The existing law is provocative and one-sided and could only serve to undermine and destabilize the labour relations environment. It must go. Employees will continue to have reasonable access to union certification or decertification information. Individuals can already obtain this information from the Ontario Labour Relations Board either by Web site or by phone.

Second, the bill would repeal the requirement for labour organizations to disclose the name and remuneration of each director, officer or employee earning \$100,000 or more in salary and taxable benefits. Again, the existing provision is provocative and one-sided. It does not contain an equivalent requirement for companies to disclose similar information about management personnel. The Labour Relations Act, 1995, already requires unions to provide a copy of an audited financial statement for the previous fiscal year to any member requesting it. It also requires that unions that administer vacation pay, health or pension funds for union members must file an annual financial statement with the Minister of Labour that discloses salaries, fees and remuneration charged to the fund. A member may request a copy of the statement from the administrator of the fund. Finally, many union constitutions already provide for the disclosure of executive salaries to members. These sources of information render the salary disclosure provision unnecessary. It requires resources to be expended obtaining information when they could be better used elsewhere.

Third, this legislation would restore the OLRB's longstanding historical powers to address the worst labour relations violations with effective remedies. It would restore to the board the power to certify a union where an employer has breached the province's labour relations laws during a union organizing campaign. However, this remedy would be reserved for the worst breaches and the worst situations, where no other remedy would be sufficient. The proposed legislation would be balanced. It would also give the board the power to dismiss an application for certification where a union violates the act during an organizing campaign in circumstances where no other remedy is sufficient.

Some of these powers have been part of our legal fabric for years, with the remedial certification power present in various forms since 1950. When the previous government removed them, it removed the only effective remedy for the worst breaches and the worst cases. Not only did it leave such cases without a potential, meaningful remedy, but it sent a clear signal to the labour relations community that certain conduct was not viewed to be as serious as it should be. That signal does not foster productive and harmonious labour relations and

does not contribute to the overall prosperity of Ontario's economy. These powers would only be exercised as a last resort, where other remedies available to the board could not effectively address the unlawful conduct by either employer or the union and the true wishes of employees about union representation could not be reflected in a vote. Restoration of these powers would assure balance and fairness in labour relations while restoring confidence in the labour relations system.

Fourth, the proposed legislation would, subject to certain statutory conditions, restore the board's power to reinstate workers on an interim basis who are fired or disciplined during a union organizing campaign because they were exercising their rights under the act. Dismissal during an organizing campaign can have an immediate, negative effect on workers trying to make a decision about whether to seek representation. Restoring the power to order interim reinstatement would enable the board to respond to any potential harm caused by a dismissal in a timely way, pending a final review of the matter.

The government's role during a certification or decertification campaign is not to favour one side or the other but to ensure that the choice made is an effective, informed choice and, to the extent possible, free of undue pressure. Employees must be free to choose without fear of reprisals. They must be free to choose whether or not they want to be represented by a union. Any interim reinstatement ordered would apply until the board holds a hearing to determine whether the dismissal was an unfair labour practice. This power cannot be exercised if it appears to the board that the action was a legitimate exercise of management rights and not related to exercising a right under the act.

1410

Finally, this bill recognizes the distinct nature of construction in this province in two ways. In fact, the construction sector is long recognized as being distinct—it's a separate part of the act. First, the proposed legislation would make permanent the existing special bargaining and dispute resolution regime for the residential construction sector in the city of Toronto and in the regions of Halton, Peel, York, Durham and Simcoe county. The regime has been in place since 2001. It has worked. It should become a permanent part of the labour relations landscape.

Second, the bill would add an additional means by which a union could be certified in the construction sector. In addition to a vote-based system, this bill would add a card-based system. There would, therefore, be two possible means of certification..

From 1950 until 1995, a union certification system based on membership cards was the norm. Automatic certification could take place if a union signed up more than 55% of the bargaining unit. We are not proposing a return to that system for all sectors. Construction, however, is unique.

The construction sector is characterized by workplaces that change constantly and a workforce that's both very mobile and can change size constantly. Attempting to

accurately ascertain the wishes of the employees in such circumstances can be difficult. For this reason, the bill would add an additional means of certification. It recognizes what the law has long recognized: the unique nature of construction.

These are the key parts of the legislation this government has introduced today. These proposals would restore fairness and balance to the labour relations system. Fairness and balance have been the historical guarantors of prosperity in this province, the foundation on which the province's prosperity has been built. Their existence promotes confidence in the labour relations system, and confidence is essential to its stability and success.

I urge all members to support these fair and balanced proposals. They are good for working people, good for business and good for the people of Ontario.

**The Speaker (Hon Alvin Curling):** Response?

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I am absolutely shocked that this minister today is stripping workers of their democratic rights, rights that workers fought for and asked for. You are today attacking the rights of the individual workers. You are paying back the unions, particularly the construction unions. You are going back to the Bob Rae days. If you don't remember the days of Bob Rae, from 1990 to 1995, let me tell you: Investment in this province was absolutely dead. We lost 10,000 jobs because there was no balance in labour relations. I can tell you that the same thing is going to happen.

I've already heard from businesses today that are going to reconsider their decision to invest or expand in Ontario. This is going to have negative implications for workers. There will not be jobs. There will not be—

*Interjections.*

**The Speaker:** Order. Stop the clock, please.

The minister had a very extensive statement and I would like to get the response from the opposition. I also would like for us to give the member an opportunity to make the proper response in her time.

You can start the clock now.

**Mrs Witmer:** The signal that this legislation today gives to people in this province and to investors outside of the province is that this province will once again be closed to business. This is not good for employees. Not only are they losing their democratic right to a free vote when it comes to certification, there will not be jobs for our children and our grandchildren.

I would say to this minister, you have been advised not to do this. In any consultations you've had, you have been advised that you should not take away worker rights. You have been warned about the negative impact on the economy. You've also certainly heard about what happens when you reinstate automatic decertification.

This is going to motivate unions to file unfair labour practice complaints in any certification drive where they don't think they have support. The integrity of secret ballot votes within five days will be diminished. I guess, most importantly, Minister: Has your government not learned the lesson that between 1990 and 1995 investors



did not invest in this province because of the labour legislation we had? I would advise you to withdraw this today. You are going to kill jobs in the province of Ontario.

### LONG-TERM CARE

**Mr Cameron Jackson (Burlington):** I'm pleased to respond to the Minister of Health and Long-Term Care's announcement today. One would think, after one full year in office, having just charged your parliamentary assistant to travel the province to talk to people about long-term-care needs, that we would have the legislation. However, I'm sure the minister today will admit that there's nothing impeding him, his government or his cabinet from making regulatory changes, with the existence of three pieces of legislation.

It didn't prevent the previous government from building 20,000 new long-term-care beds, the largest increase in long-term-care beds in North American history. The lack of unified, updated legislation didn't prevent us from taking 16,000 D facility long-term-care beds in our province and spending close to \$1 billion to have them upgraded and modernized to the highest standards for nursing homes anywhere in North America. The lack of legislation didn't prevent us from bringing in the first and most comprehensive Alzheimer's strategy in our country.

What we have from you today, Minister, is a formula for taking a further year to bring in some of the changes that are needed in our nursing home system. You made a promise—you were the health critic at the time—that you would roll back any increases that seniors had while living in long-term-care facilities, a \$300-million election promise that you have broken. In your own statement you indicate that you merely froze the rate and you're not rolling it back. Last year, when you had the opportunity as minister, you still passed on to seniors in this province a \$1.16 increase in their copay for inflationary purposes. You did that willingly and knowingly last year. Yet today, for the first time in Ontario's history, senior citizens in nursing homes in this province are paying a health premium tax. And you broke the promise that you would roll that back.

Minister, I want to remind you that you have indicated in your statement today that you support renewal and maintenance programs. I warn you and caution you: Do not, under any circumstances, even consider welshing on the promise we made to seniors and nursing homes that we would rebuild their D facilities in this province—but that's what I think you're about to do.

**Ms Shelley Martel (Nickel Belt):** I want to make a short response to the statement by the Minister of Health. I thought the Minister of Health would be here today as well, introducing legislation regarding changes in the long-term-care sector, not be here discussing yet another discussion paper about the same matter. I say that because the minister promised that we would be here this fall dealing with legislation for changes in the long-term-care sector. That promise, that commitment, was made on

the heels of the work that was done by Monique Smith with the release of her report in May.

You'll recall, Speaker, that last December, in light of more horror stories in the media about the situation in long-term-care facilities, the minister promised a revolution and had his parliamentary assistant get right on that. From January to March, she supposedly did an in-depth study—talked to everyone and anybody about what needed to be done. When she reported, the government said that her report was the blueprint for change. We expected that we would be seeing legislation as a result of that blueprint, not a promise of more discussion, not a promise of legislation perhaps in the spring.

The minister says today that he's concerned about abuse and neglect of seniors. Let me tell you what he could do today because he doesn't have legislation before us. Today his government could pass private member's Bill 47, which stands in the name of our leader, Howard Hampton, which would place a positive duty on anyone who works in a long-term-care facility to report any abuse of a senior, in the same way that teachers and child care workers do right now when they see child abuse.

I say to the minister: Because you don't have legislation today, if you really wanted to do something to protect seniors against neglect and abuse, pass Bill 47—second and third readings today—and then we'll really be doing something with respect to a revolution and protecting seniors in the province.

1420

### LABOUR RELATIONS

**Mr Peter Kormos (Niagara Centre):** The Minister of Labour's announcement today is uninspired—certainly lukewarm, if anything; thin gruel—and falls far short of the Liberal promise to address the injury done to working women and men over the course of eight years of Tory government here in the province of Ontario. Please, Minister, come on. You're no longer going to require that decertification notices be posted. You know darn well that those postings didn't last more than 30 seconds once they were put up, and if they lasted longer than 30 seconds in any unionized workplace, they became nothing more than a billboard for those workers' opinions of their bad bosses.

You know darn well as well, and you've acknowledged, that telling unionists that they no longer have to report salaries in excess of \$100,000 a year is irrelevant because that is public information and available from any union member, available at any union convention, in any event. And I tell you, your failure to acknowledge the need for anti-scab legislation—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Minister, would you come to order, please. Member from Niagara Centre, could you address your comments to the Chair.

**Mr Kormos:** Thank you kindly, Speaker.

Your failure to acknowledge the need for anti-scab legislation in this province, to restore real, fair bargaining



and negotiation at the bargaining table rather than forcing workers like the locked-out Airport Hilton workers on to picket lines where they're at risk from drivers and angry bosses, is an injustice to the workers and another breach of your promise to workers to address and redress the injury done to them by Tories.

Your failure to keep your promise to restore successor rights for public sector workers is yet another example of this government's disdain and disregard for working women and men in this province. Your failure to acknowledge the right of agricultural workers to organize themselves into trade unions and to collectively bargain health and safety, amongst other things, at the bargaining table is an insult and a condemnation of those workers to more years of high-risk workplaces at the lowest possible wages imaginable. And I say to you, for you to suggest that somehow one smaller class of workers should have the right to card certification while most workers in this province don't have the right to card certification is discriminatory and reveals once again the fact that this is nothing more than window dressing and is a weak, weak response to your promise to address the wrong and the injuries done to workers over eight years of Tory government here in the province of Ontario.

Your announcement today was done without consultation with the workers whom you've impacted. I'm telling you, the Ontario federations, trade unions, their leaders, their membership are going to have a lot to say to you. In fact, they're going to be here at the end of this month in front of Queen's Park, telling you and your government to start keeping, in the most modest of ways, some of the big, huge promises you made to working women and men. They're here to tell you that your pathetic response to minimum-wage workers in this province, condemning them to yet more years of poverty while they are in the workplace, your abandonment of their sisters and brothers with disabilities, is yet further example of your disdain and disregard for these same workers.

New Democrats are here to expose your failure to meet the needs of workers in this province, your failure to act as a Minister of Labour but more as a minister of bosses.

## PEACEKEEPERS' DAY

### JOUR DES GARDIENS DE LA PAIX

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** On a point of order, Mr Speaker: I believe we have consent from all three parties. I seek unanimous consent to make a statement on Peacekeepers' Day, to be followed by a statement from each of the opposition parties for up to two minutes.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Mr Bryant:** I am pleased and honoured to rise today to announce that August 9 will be annually recognized as Peacekeepers' Day in the province of Ontario.

Peacekeeping is a long-standing and honourable tradition in Canada. More than 100,000 members of the Canadian forces have participated in peace support missions since the United Nations began working to maintain international peace and security. This contribution is a natural extension of Canada's commitment to the principles of peace and freedom. But it is not without risk and it is not without heroism. One of those risk-takers, one of those heroes, is in the Speaker's gallery today: Major-General Lewis MacKenzie. If you ask him, he will tell you that peacekeeping, by its very nature, places those who do it on our behalf continually in harm's way. He will tell you that keeping the peace often means being willing to sit in a bunker with bullets flying over your head. It is a sad truth that more than 100 Canadian peacekeepers have died in separate missions over the years, and hundreds more have been wounded.

August 9 is the anniversary of a particularly horrible day. In 1974, nine Canadians lost their lives when their plane was shot down over Lebanon. They were flying in a Canadian Forces Buffalo aircraft clearly painted in UN colours, all white and blue, with the UN flag on the wings and fuselage and tail. The plane's crash represented the single largest loss of life in Canadian peacekeeping history.

I'd like to acknowledge Jack Simpson, who is here in the Legislature today. Mr Simpson's brother, Corporal Michael William Simpson, was among those nine Canadian peacekeepers, those nine Canadian heroes. Mr Simpson—a former soldier himself: We're very grateful and honoured that you are here today.

Next week, on Remembrance Day, Ontarians will remember the brave men and women who lost their lives in time of war. Peacekeepers' Day will ask us to remember those who, like Corporal Simpson, gave the ultimate sacrifice in the ongoing defence of peace.

I mentioned Major-General Lewis MacKenzie. He has been a driving force behind Peacekeepers' Day. He and others followed in the footsteps of that great Ontarian and 14th Prime Minister of Canada, Lester B. Pearson, who is considered the originator of the modern concept of peacekeeping. Mr Pearson helped defuse the 1956 Suez crisis by proposing that a multinational UN peacekeeping force be sent to Egypt to restore peace. For his visionary idea, he was awarded the Nobel Peace Prize.

In the decades since, Ontarians and Canadians like Major-General MacKenzie have continued to make exceptional contributions as peacekeepers throughout the world. They have supervised cease-fires and the withdrawal of opposing forces. They have protected displaced persons and refugees. They have removed land mines and delivered humanitarian aid. They have maintained law and order with patience, discipline and skill.

Ils ont gagné la reconnaissance des nations en bloquant la voie conduisant à la guerre, en sauvant des vies qui auraient été perdues, et en aidant la vie à reprendre son cours dans les communautés ravagées par les conflits.



I also want to recognize that so many Canadian peacekeepers around the world, in addition to being members of the Canadian Armed Forces, are members of our police services, RCMP, Ontario Provincial Police and municipal services such as the Toronto Police Service. It's a tribute to the professionalism of our police officers that their services are in such high demand on these missions and are so valued.

Our government is proud to designate August 9 as an annual day of recognition for Canadian peacekeepers. Peacekeepers' Day will see Ontarians pay tribute to the sacrifices made by those soldiers and police officers who lost their lives in the service of peace and mourn the loss with their family and friends. We will honour those who have returned safely from peacekeeping duties in the danger zones around the world.

Let me close by saluting the brave men and women in the Speaker's gallery, and the members' galleries as well. You have honoured us by your presence in the Legislature. We salute you and applaud you. Thank you.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'd like to express my appreciation and the appreciation of our party to the brave and resourceful men and women who represent our country so well. The Canadian Armed Forces, whether they be peacekeepers or soldiers, are the greatest men and women that this country has produced. We are proud of you and we thank you for your contributions.

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There are times when peace is something to be kept; there are times when peace is something to be won. Canada has fought and won the peace. We have led in times of strife. We have been there to answer the call of history. At Vimy Ridge and Juno Beach, in Korea and during the Cold War, our men and women in uniform have done us proud.

While they are brave and resourceful, over the past number of years they have been forced to scramble, to become more resourceful as their resources have dwindled.

As Major-General Lewis MacKenzie said at today's reception, "What Canada needs in today's world environment is a robust force to stamp out factions and win the peace, as opposed to a philosophy that the peace can be kept by social workers with guns. Only when the peace is won can we then go about peacekeeping."

Military spending has dropped to 1% of GDP—that's one sixth of what it was in 1956—down to about 125th in the world. Our forces have been reduced by half. The equipment of our soldiers is deteriorating. For instance, the Sea King helicopters were bought in 1963. To put that in perspective, that makes our helicopters three years older than the honourable member across the way, the Attorney General, Michael Bryant.

I don't have to remind this House of the recent tragic event that occurred on the maiden voyage of HMCS Chicoutimi. A fire broke out, a brave lieutenant died, and to rescue the remaining crew we had to rely on other countries because we were not equipped to do it on our

own. Now, for the first time since 1961, the Canadian navy has no submarines deployed.

Through all of this underfunding and lack of support by the federal Liberal government, our men and women in uniform, be they soldiers or peacekeepers, have found a way to make us proud time and time again. We are proud of our peacekeepers, and we thank them and their families for their contributions.

**Mr Peter Kormos (Niagara Centre):** New Democrats, with great pride in our servicemen and service-women and the role they've played internationally, are pleased to participate in this declaration of August 9 as Peacekeepers' Day. We look forward to acknowledging it in years to come.

We salute these women and men, young when they did their service, so many now over the course of years greyed and a little stooped and a little slower in their gait. We salute them not only for their service to their country but, in the course of that service to their country, their service to humankind under some of the most difficult and dangerous of conditions, where there is an incredible risk to themselves. Whether the motive be heroism, gallantry or simply an understanding that the job has to be done, there prevails a selflessness that makes these people all-giving, and they take none.

We salute their leadership: the Lewis MacKenzies, the great Roméo Dallaires—Roméo Dallaire, who continues to challenge our conscience around the role that we as Canadians have to continue to take and the extra steps that we have to continue to make to truly maintain this great tradition of peacekeeping.

As we pay tribute to these women and men, as we salute them, as we acknowledge their great courage, let's, as members of this Canadian community, and let's, as taxpayers, commit ourselves to ensuring that these same young women and men have the tools and the resources to do the difficult and dangerous job that they are called upon to do, because without that commitment, we do these women and men a disservice.

Let's have a commitment to ensure their families don't live in poverty. Let's have a commitment to ensure that, upon their return to their country, they are treated not just with token regard but with genuine regard and the supports that are necessary from time to time—in fact, more often than one would wish.

## ORAL QUESTIONS

### HOSPITAL FUNDING

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question for the Premier. Yesterday your Premier-for-a-day couldn't answer our questions, so I'm revisiting the hospital funding crisis your government is creating in communities across Ontario.

Premier, I would like to ask you about the situation in London, where we are told the city's hospitals will have

to eliminate 1,000 jobs, close 384 beds and cancel 4,000 day surgeries if they follow the dictates of your ham-fisted Minister of Health.

From your government's performance to date, it's clear that you have trouble keeping track of your promises, let alone keeping them. The London situation is a stark case in point. Premier, how do the closure of hospital beds, the loss of nursing jobs and thousands of cancelled surgeries meet your health care promises?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** How soon the opposition would have us forget their record. There are only two parties which, when in government, actually made cuts to hospitals in the province of Ontario—the Tories and the NDP—just so the people of Ontario know where we're coming from.

Just to revisit the record, because I'm sure that the member opposite, honourable as he is, would be interested in being reminded of these facts: When the Tories were in power, they cut hospitals by \$557 million. They closed 28 hospitals. They closed 5,000 beds. They spent \$400 million to fire thousands of nurses and then spent hundreds of millions of dollars in a vain attempt to hire them back. That is the record of this Leader of the Opposition and this opposition party that is without credibility when it comes to the fact that we're putting 700 million more dollars into hospitals this year than they would have, had they been in government.

**Mr Runciman:** This is the Premier's second year in office, and he's still playing this juvenile blame game. This is a serious issue that deserves a serious response from the Premier of Ontario. The problem is, Premier, that you don't have any credibility. No one believes you any more.

You said, before the election, that you would put hospitals on a sound, long-term financial footing. You said, before the election, that you would open 1,600 hospital beds and hire more nurses. And now, after the election, an infusion of over \$800 million from the federal government and your \$2-billion health tax, your policies are resulting—

*Interjection.*

**The Speaker (Hon Alvin Curling):** Just a moment, Leader. Could I ask the member from Nepean-Carleton to come to order.

Could you continue, Leader.

**Mr Runciman:** Yes, heckle them, not me.

After the election, an infusion of over \$800 million from the federal government and a \$2-billion Liberal health tax grab, your policies are resulting in lost jobs, closed beds and cancelled surgeries. Premier, why are hard-working Ontario families being forced by your Liberal government to pay more while getting less health care services?

**Hon Mr McGuinty:** Not a single element of that statement holds any truth. The fact of the matter is that we are working together with all of our hospitals, on an individual basis, over an extended period of time during which they have to balance their budgets. I'm pleased to

report that more than 50 hospitals have already balanced their budgets. We now intend to work with all the remaining hospitals.

I know that it's in my colleague's political interest to fan the flames and pander to fear, but we think we've got a responsibility to continue to work with our hospitals to ensure that we can find efficiencies without, in any way, compromising the quality of care. We've started that, we're on that route, and we're going to achieve our objective.

**Mr Runciman:** Premier McPromise—he serves up billions and, just like McDonalds, he doesn't deliver. That's a fact.

Premier, the time is long overdue for you to show leadership. Outstanding hospitals, large and small, are facing decisions forced on them by your policies and the late-breaker approach of your Minister of Health. Liberal MPPs and ministers who were very vocal in opposition are now either silent or relegated to reading from the Liberal Party cue card labelled "Hospitals: How to Defend the Indefensible."

You can stop this looming hospital crisis. Put a muzzle on your bully Minister of Health, keep your promises and guarantee that not one hospital bed will be closed in London or any other hospital in the province of Ontario.

**Hon Mr McGuinty:** Again, I don't know how he can say this with a straight face after closing 5,000 hospital beds. When I talk to the people in London, they are still very sore about the loss of their children's cardiac surgery program, which happened on their watch. This is an opposition party that is without credibility on this particular issue.

Here's what somebody said recently, when John Tory was travelling through the city of Ottawa and making his outlandish claims in that particular venue: "Doug Angus, a health economist at the University of Ottawa, said the numbers 'are really high. I suspect they're playing with the numbers. This is an outlandishly high figure. That's virtually impossible to see. They are so far off base on that one. There is no way. It's impossible.'" Nobody could have said it better than this independent, objective, third-party economist.

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**The Speaker:** New question.

**Mr John R. Baird (Nepean-Carleton):** My question is to the Minister of Labour. Across London and throughout southwestern Ontario, patients and health care workers are distressed, upset and full of fear. They're also angry, because not a single Liberal MPP from the region has raised one objection to the job losses or supported our call for adequate hospital funding. Under the Ontario Labour Relations Act—

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: This question is not in order. It shouldn't be directed to the Minister of Labour.

**The Speaker:** He hasn't completed his question. Let me hear the question.

**Mr Baird:** Under the Ontario Labour Relations Act, it's your job to stand up for workers and be notified of



layoffs. It's a legislated requirement. Minister, will you stand in your place now and do the right thing: stop the firing of 1,020 nurses and health care workers who are actively facing layoffs? Will you answer the question? Will you stand in your place and defend London Health Sciences Centre and St Joe's, or are you going to pass the buck?

**The Speaker:** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I appreciate the opportunity to respond to the question from my honourable friend. I think it's important to remind everybody of the circumstances that are in place, not the fear and rhetoric that are being provoked by the other side, but the reality, which is this: No cuts have occurred in London; no layoffs have occurred in London. We continue to work—with very strong interaction from all the members in that area—with the London community, the London hospital and its volunteer board of directors, who are committed, in the very same way we all are, to good-quality patient care in Ontario.

The Premier has well identified that we have an 18-month window of opportunity to get every hospital in Ontario in balance. We're going to work through those on a case-by-case basis, as has been well established. As required, the best people in the health care system will get in and be of assistance in these situations. I look forward to continuing to work through these, as we are, on a case-by-case basis.

**Mr Baird:** My supplementary question is again addressed to the Minister of Labour. It concerns his responsibilities under the Ontario Labour Relations Act and the legislated requirement that he be notified of layoffs and cutbacks. London and southwestern Ontario taxpayers, nurses and patients want to know if any Liberal MPP in southwestern Ontario is prepared to stand up and fight for them. They haven't heard from you, from Steve Peters, from Deb Matthews or from John Wilkinson. The London Health Sciences Centre is facing cutbacks of 580 nurses—health care workers. St Joe's health centre is facing the layoff of 420 staff. Will you stand in your place as Minister of Labour and say, not on your watch, that you will do everything to ensure that not a single—

**The Speaker:** Thank you. The Minister of Health.

**Hon Mr Smitherman:** Sensitive as the opposition party is about their legacy on this, which will be remembered by all Ontarians—their inspirational leader, Mike Harris, compared nurses to Hula Hoops—it's a bit rich to hear the honourable member now. The fact of the matter is that last Friday, members from London met with representatives of the London hospital, a demonstration of the fact that they're engaged, as is appropriate, on behalf of their constituents. The fact of the matter is that no layoffs have occurred in London and no program cuts have occurred in London.

We're at the earliest stages of an 18-month process, and we're going to work through these in the fashion that has been established between the Ministry of Health and

the Ontario Hospital Association. There are seven steps to the process, and we're at the earliest stages of them. Rather than contribute to fear by advancing this line of rhetoric, I suggest to the honourable member that he stand by instead and watch the progress we're going to make, hand in hand with those who are dedicated to providing good-quality patient care in our province.

**Mr Baird:** I have never seen a regional group of MPPs who have so abandoned their constituents and failed to stand up for them in this House.

Minister, the bottom line is, it doesn't have to be this way. You don't have to force and bully hospitals to lay off nurses and increase waiting lists and close—

*Interjections.*

**The Speaker:** Order. Will the minister come to order, please. I'm trying to hear the member from Nepean-Carleton. The member from Erie-Lincoln, who is echoing all the while—I'm confused. Who is asking the question? The fact is that now the member from Nepean-Carleton has his final supplementary.

**Mr Baird:** Minister, you don't have to force and bully hospitals to lay off nurses, to cut beds and to increase waiting lists that are already too long. You see, there is another way. Right across the street, at the Ministry of Finance, there is \$825 million of new cash for health care sitting in a vault. None of that money has been allocated.

Minister, will you join our call and stand in your place and commit to our nurses and our hospitals, that you will put in at least half of that money to stop these devastating layoffs that you are forcing these hospitals to undertake?

**Hon Mr Smitherman:** "Will we join their call?" he asks. Their call, as presented in their budget at Magna, called for \$700 million less for Ontario hospitals this year. That is their call. That is their record. Oh no, that's only part of their record. The member calls for regional solidarity. He wants to put his own record on the line for the great work he did in the Ottawa community while part of a government. What is the legacy of his involvement as a strong regional player? Riverside Hospital—closed. Grace hospital—closed. And Montfort—Montfort had to fight for its life in court against the cuts that his party proposed. What is the legacy of that party while in government in the London community? Children's paediatric services were gored at the hands of that government.

No cuts have occurred in London. London members are working aggressively for their community, and we are dedicated to the strongest possible patient care.

**The Speaker:** New question.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. A year ago, on September 3, you promised, "We will bring stability to our hospitals by providing adequate multi-year funding"—Dalton McGuinty. We have seen how you've broken your promise to London hospitals. They are being forced to schedule the layoffs of 1,000 hospital workers and close 348 beds because of a \$90-million shortfall in funding. But they are not alone. When we look at northern Ontario and 40 community hospitals, 32 of the 40 are facing budget

shortfalls totalling \$51 million as a result of your short funding. They are now being forced to make the same difficult decisions, except in their cases they don't start with regional health centres; they start with basic, core services.

Premier, what happened to your promise of adequate multi-year funding for hospitals? Why are you forcing northern Ontario hospitals to cut basic, core services?

**Hon Mr McGuinty:** Again, here is another leader of another party of the opposition who has conveniently forgotten his own particular record when it comes to health care. Just for purposes of contrast, we are increasing funding for hospitals by 4.3%. When the NDP were in power in 1994, they cut hospital funding by 3.6%, for a total of \$277 million.

The leader of the NDP may not like to hear this, but the fact of the matter is, we are working with hospitals. We understand the nature of their challenges. We also understand that the status quo is just not tenable. So we've increased funding substantially, by 4.3%. We now have more than 50 hospitals that succeeded in presenting plans that balance their budgets in a way that does not compromise services. Now our plan is to work with each and every single remaining hospital to make sure that we get it right.

They may not like to hear about this kind of approach—it's called working together—but we believe it's the right thing to do.

1450

**Mr Hampton:** Premier, this is your promise; this is a promise you made. And you talk about working together. Why are those very hospitals writing to us and to the Minister of Health, saying, "This won't work. This is going to force us to cut core services"?

I want to quote to you from the northern hospitals. They are very blunt. They're saying, "Look, we're already severely underserved. We don't have enough physicians, and in many cases we have inadequate community-based services." In order to meet what you are doing to them, they're saying, "We will have to reduce or eliminate basic core services that are taken for granted in most southern Ontario hospitals."

That doesn't sound to me like working together; that sounds to me like you're taking the axe to hospitals that have already been downsized, that have already been forced to find efficiencies. What happened to your promise, Premier? Why are you forcing northern Ontario hospitals to cut basic core health services?

**Hon Mr McGuinty:** The short answer is, we're not. We're working with our hospitals over an extended period of time. They've got two years within which they could balance their budgets. We have increased funding for every hospital in the province of Ontario. What we're doing now is working with hospitals to make sure that we get it right.

The member opposite made reference to the fact that they are concerned in the north about a shortage of physicians. One of the reasons we are grappling with a shortage of physicians in Ontario today is that they cut the number of spaces in medical schools on their watch.

The other thing I want to remind my distinguished friend about is that in addition to making cuts to hospitals on their watch, they cut funding for OHIP by \$218 million, they cut the Ontario drug benefit plan by close to \$30 million, they cut mental health services by \$42 million and they cut community and public health by \$163.7 million. That is their record when it comes to health care.

**Mr Hampton:** The Premier wants to talk about everything other than his promise. So I want to remind the Premier of a little history he should remember. It was a federal Liberal government that said to provinces across this country, "Cut the number of medical school admissions." It was someone named Paul Martin who made the biggest cuts to medicare in the history of Ontario and forced every province to make those cuts.

I want to bring you back to the present, to your promise. This is just one hospital, and this is what they say: "Northern hospitals are underfunded already. We can't make these cuts. Northern hospitals tend to be smaller in size and more isolated. We have difficulty in terms of achieving critical efficiencies because we are so small. Northern hospitals fulfill a different function. In many towns, they are the only game in town."

Premier, you're sitting on \$825 million of new federal health care money. You've got a \$2-billion contingency fund in your budget. Why don't you use some of that money to work with hospitals instead of forcing them to cut core services?

**Hon Mr McGuinty:** I don't want to underestimate the challenges that are faced by our hospitals today, with the growing utilization rates and pressing demands. We understand that. But the fact of the matter is that we are increasing funding for our hospitals by 4.3%. We're going ahead with change. I know that my friend opposite is a staunch defender of the status quo. He thinks that health care in Ontario should perhaps occupy 60%, then later 70%, then 80% and then possibly 90% of our budget. We're not going there. We're going to work with our hospitals.

The minister has said before that he understands there are some special issues connected with some of our smaller hospitals. We are looking for ways to extend special support to our smaller hospitals.

Let me just say this about our Plan for Change. This is what Roy Romanow had to say about our minister and what he is doing. He said, "When I talk about sustainability ... with Health Minister Smitherman in this province, I hear a strong commitment to the future of publicly supported medicare, and a resolve to spending resources designed to leverage the changes necessary, rather than spending on the status quo.... It seems to me that Ontario wants to do the 'real work' required to ensure medicare's sustainability."

I agree with Roy Romanow.

## FUNDRAISING

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Premier. Premier, I want to ask you again about your broken promise to stop "pay your way



to the front of the line" politics. Tonight, in Ottawa, you'll be wining and dining with some of your biggest donors. They'll be shelling out \$4,000 a table.

We believe Ontarians have the right to know who's buying access to your government. You said during the election that you believed that too, and you pledged to disclose political donations in real time. Tell us, Premier, will you keep your promise, or will we have to guess who's coming to dinner?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Apparently, the NDP doesn't fundraise. They've never had to resort to that. But here's what the Windsor Star said on October 6, 1994: "But in the end the party got what it wanted: Selling 700 tickets to raise \$130,000, making it the largest-ever fundraiser for the NDP. Some tables sold for \$4,000."

I'm disappointed to learn we're only charging \$4,000. Whatever happened to inflation? Anyway, I look forward to the supplementary.

**Ms Churley:** We're talking about your promise, Premier. This morning—now get this—the Attorney General said that you can't keep your promise at this time because real-time disclosure is a terribly complex matter.

Premier, you don't need space-age technology to disclose donations in real time. All you need is this: I call it the "real-time machine." Yes, it's a simple fax machine. Here you go.

Everybody going to tonight's dinner filled out this form. All you have to do, Premier, is fax all these forms to Ontario's chief electoral officer by dinnertime tonight.

Again, will you keep your promise and disclose your donors, or will this continue to be another broken Liberal promise?

**Hon Mr McGuinty:** I can understand the member's enthusiasm. She obviously is very much looking forward to our package of reforms to be introduced by the Attorney General. I look forward to introducing that as well and giving an opportunity for all the members here to debate them. Hopefully, we will receive the warm-hearted support of members opposite.

Let me say this, and repeat the offer I made in this House earlier: If the members of the NDP and the members of the Tory party want to go ahead and pre-empt the bill that's about to be introduced so that we all agree that we will all record our receipts, our contributions, on a just-in-time basis, then we're more than prepared to do that. But I've yet to hear from any of them in that regard.

**Ms Churley:** This is a real turn and a twist in Liberal broken promises. Premier, the NDP supports real-time disclosure. No problem. But we're talking about your words, your commitment and your promise. New Democrats want openness and transparency. You're continuing with secrecy and side deals.

In August, two days before accepting bids on power projects, Dwight Duncan charged energy companies up to \$5,000 to golf with him. Two weeks ago, you charged high rollers big bucks to golf with you. In September, people paid top dollar for a boat cruise with George

Smitherman. In all three cases, you were asked to disclose the donors, and in all three cases you said no.

I'm asking you again: Will you disclose the donors attending your Ottawa dinner by dinnertime tonight, or will this continue to be another broken Liberal promise?

**1500**

**Hon Mr McGuinty:** We have all kinds of good things that we want to bring to the good people of Ontario by way of new legislation, including a package of reforms that has to do with political financing. We're more than prepared to introduce that at the earliest possible opportunity.

Now, if the members opposite—again, I repeat my offer—want to pre-empt that so that we can do something together on a voluntary basis, I would be delighted to do that. But having said that, we could move that bill more quickly into this Legislature, together with so many other bills, if this party would resist its childish antics and begin to allow us to move legislation through in a thoughtful and responsible manner.

#### YORK CENTRAL HOSPITAL

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Health. On October 14, I asked you a very specific question regarding the status of the York Central Hospital redevelopment project. All I got was a political dance from you. I pointed out that the Minister of Finance, who is also the member for Vaughan-King-Aurora and whose constituents are served by this hospital, although he had approved some \$4 billion of new spending, had done nothing to ensure that this important project was funded.

Now we're hearing that the same Minister of Finance has given the nod to search for property for a new hospital in Vaughan. Is it true, Minister of Finance, that the reason the funding for York Central Hospital is being delayed is because the real plan is to ensure that the minister's new hospital in Vaughan will be funded? Will you confirm or deny that?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The honourable member started out as someone who liked to drive around in snowstorms, and now he likes to go on fishing expeditions. Here's what I can tell the honourable member.

In point of fact, if he looks back to the answer that I gave him that day, what he'll see is that I sent a very strong message to the people of that area, one of the high-growth areas of our province, that we recognize their need for additional capital investments.

I also made another point which is important in the piece. When these guys weren't closing hospitals, they ran around promising new ones. The fact of the matter is that the quality of the rhetoric and their great, big plastic cheques weren't backed up when anybody took these cheques to the bank. The fact of the matter continues to be that we're working on about \$4 billion or \$5 billion worth of capital projects that are in one phase or another of creating expectation in local communities, and we're working very, very hard.

My ministry is working with the Minister of Public Infrastructure Renewal to make sure that Ontario moves forward with a program of capital infrastructure that is capable of being funded in our province.

**Mr Klees:** The truth is that we built more hospitals under our time in government than any other government in this province. That's a reality. What this minister now is doing is making political light of the fact that York Central Hospital is in a situation where 50% of the ambulances are turned away every month of this year. Over 1,000 patients in the last year have walked away from the emergency ward of this hospital because they couldn't be served. The reality is that the average wait time to get someone into a bed in that hospital is now some 10 hours. That's the average, Minister.

The fact is that nurses and doctors and patients alike are frustrated, and you continue to play political football with this issue. Will you or will you not consider this a priority and give us a commitment that you will fund this project and that you're not playing politics with the Minister of Finance on a new hospital in Vaughan?

**Hon Mr Smitherman:** It seems to me that if we want to know who's playing politics, we simply have to look to the person asking the question. Perhaps in response we should say, how is it, sir, that after eight and a half years in government, you did not get that done? How is that the case? Because while the honourable member wants to say that they opened more hospitals, the fact of the matter is that the member seems to have created the expectation in his own head that having an announcement and presenting a big plastic cheque was about the opening of a hospital.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order.

**Mr Klees:** On a point of order, Mr Speaker: The minister knows full well that that's an asinine remark to make.

**Hon Mr Smitherman:** What I know full well is that in the final days of the life of that party while in government they ran around from hither to yon in the province of Ontario and presented big plastic cheques. When they were taken to the bank they were returned NSF. This is on top of their \$5.5-billion operating deficit that they left behind, and this—

**The Speaker:** Thank you.

*Interjections.*

**The Speaker:** The member from Oak Ridges. Will the members come to order, please. I'm going to start maybe naming members because we're not progressing in any way. Now a new question, the member from Nickel Belt.

#### AUTISM SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question to the Premier. Premier, your government is at it again this week, fighting against families with autistic children. This time your government is intervening at the Ontario Human Rights Tribunal against 200 families that claim your government is discriminating against their autistic children on the basis of their disability.

You have four lawyers at this proceeding, and on Monday and Tuesday, on your behalf, they argued that the commission has no jurisdiction to hear the cases, that the cases should be stayed. They further argued that it's not in the public interest to have this process proceed. I remind you, Premier, that these families are fighting to get medically necessary IBI treatment for their children. Can you tell me how much your government is spending to try and block these families from doing that?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Children and Youth Services.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I can't comment on anything in front of the tribunal, but I can tell you how much we are spending to help children with autism—

*Interjection.*

**The Speaker (Hon Alvin Curling):** I'll warn the member one more time. Minister.

**Hon Mrs Bountrogianni:** I guess I was fortunate I didn't hear what the member said. I can tell the member what we are spending to help children with autism across this province, right from the time of their diagnosis, right through to the end of high school. We have doubled the amount of spending on children with autism in this province. We have increased the preschool screening and assessment by \$10 million. We are reaching 20% more children. Our waiting lists are decreasing. As well, we have put \$30 million for more resources in the school system, because children with autism, as all children with special needs, need to be at school with children of all abilities and disabilities. I'm very proud of our strategy.

**Ms Martel:** Premier, the question was, how much money is your government spending to fight these families from getting the IBI for their children? You see, during the election, you told voters to choose change. The fact of the matter is, your government is discriminating against these children just as badly as that group ever did. Your government is attacking these families just as aggressively as the former government ever did. Your lawyers, on your behalf, spent months trying to undermine families at the Deskin and Wynberg trial. Your government has sent in lawyers against every family that has tried to get an interim order for their IBI to continue after the child turns six. Now your government has got four lawyers at the Ontario Human Rights Tribunal, trying to stop those proceedings so their parents will never have their say.

I ask you again, how much money has your government spent in all of these proceedings, trying to stop parents from getting medically necessary IBI for their autistic children?

**Hon Mrs Bountrogianni:** I will refer this question to the Attorney General.

**Hon Michael Bryant (Attorney General, Minister responsible for native affairs, Minister responsible for democratic renewal):** To answer the member's question, we have counsel before the Ontario Human Rights



Tribunal on that matter. We have counsel before the courts, as well, on this matter. We are defendants in the matter I'm speaking of. Some cases see some plaintiffs and some applicants who wish to get some funding earlier. Some are seeking to get funding a little later.

We want to let the government and the Legislature decide. We want the government and this Legislature to determine how we are going to be dealing with and treating autistic kids. We think this is the place to do it, not before a tribunal and not before the courts. That has been our position all along. We'll continue to fight for the democratic right to provide autistic—

**The Speaker:** Thank you. New question.

1510

### HOSPITAL FUNDING

**Ms Deborah Matthews (London North Centre):** My question is for the Minister of Health and Long-Term Care. People in my community of London have recently been reading media reports about possible hospital cuts. I have been reassuring my constituents that no such cuts have been made and that this is just the first step in a process to work with hospitals to balance their budgets. Can you confirm that no cuts have been made and tell us what the process is for moving forward?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I appreciate the question from the honourable member from London. As I had the opportunity to say earlier in question period, she and all members from London continue to serve their constituents with good focus and distinction—focus on the quality of patient care; frankly, the same as we all have. The reality of the circumstance is that no cuts have been made in London; no layoffs have occurred in London. In fact, as has been outlined by the Premier and others today, we are at the earliest stages of a process that is designed to get all of Ontario's hospitals in balance and to eliminate the cycle we were dealing with, which we inherited from the previous government, of bailing them out at the end of the year. I remind the honourable member that in some cases we fully expect it might take us up to 18 months to do this. That's the time frame the Ontario Hospital Association requested and that we granted. I give the assurance to the honourable member from London, and to all honourable members, that we're going to continue to work through these on a dedicated basis, with a view to enhancing the quality of patient services and making sure we are operating within what is available financially.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Khalil Ramal (London-Fanshawe):** Minister, for eight years—

*Interjection.*

**Mr Ramal:** You have to listen for the question, my friend.

Minister, for eight years London suffered health care cuts by the previous Tory government. Can you tell us what investment our government is making to enhance

health care services in London and take pressure off our local hospitals?

**Hon Mr Smitherman:** I think the honourable member asks an excellent question, especially because it gives me an opportunity to remind all that we made significant investments in health care, particularly in the London area: more than \$43 million to hospitals, long-term-care facilities, home care and mental health. These included the first investments in a long time in community-based mental health, which that party ignored while in government; \$4.7 million to enhance the number of clients who can be served through local home care, through the CCAC; a \$2.4-million investment to enhance the quality of long-term care; and \$1 million for community support services, which help keep people independent in their homes. All of these are beneficial to patients, and all of them play an incredibly important role in assisting our hospitals by diverting traffic and making resources more available in communities, because we believe that the best care is the health care you find as close to home as possible.

I thank the honourable member from London and all members from that community for their hard work, and I commit to continuing to work with them to the benefit of the people from London.

### CANCER TREATMENT

**Mr Jim Wilson (Simcoe-Grey):** My question is for the Premier, and it involves a commitment that was made some time ago to build two new cancer centres, one in Barrie at Royal Victoria Hospital and one at Southlake hospital in Newmarket. I just want to emphasize the need that patients have in this area. Central-east region, where these cancer centres are to be built, has the largest population growth in Ontario. We're growing 80% faster than the provincial average. Our growth rate for residents over age 50 is increasing 50% faster than the rest of the province. Cancer incidence in this region is increasing 25% faster than the rest of the province, and cancer mortality is going through the roof. In fact, cancer mortality is 42% higher than the rest of the province, and we don't have cancer centres.

The planning has been going on for years. Governments of all three stripes have participated in it. Will you give me your commitment today that you'll begin construction immediately? The hospitals have provided all the information required. People are dying faster in this part of the province than anywhere else due to cancer. Would you give us the commitment to begin construction immediately, Premier?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I appreciate the opportunity to respond.

*Interjection.*

**Hon Mr Smitherman:** I'm sure you'll get another question, Frank.

I appreciate the opportunity to respond to the honourable member. This is an area, of course, that we recognize for its high growth. I think that on the issue of long-term care, as an example, it's sad that Simcoe county was passed over so clearly by your government's allocations.

I would say with respect to the issue of cancer centres that, regrettably, cancer in our community continues to be a growing challenge. We work with Cancer Care Ontario, which helps to prioritize where those investments should be made. The issue of the two centres that are raised by the honourable member is a matter that Cancer Care Ontario is assisting on with some advice right now. But all of the forecasts do indicate, regrettably, that advancements by building these additional cancer centres that were referenced by the honourable member will be important. This is part and parcel of the strategy that we're involved in, in consultation with my colleague the Minister of Public Infrastructure Renewal.

**Mr Wilson:** Minister, I'm not sure where you get your facts from. In terms of community care access centres, I set those up as Minister of Health.

**Hon Mr Smitherman:** Long-term care.

**Mr Wilson:** Long-term care: We have hundreds of new beds in Simcoe county. On home care, when I was first Minister of Health, there was \$1.9 million spent in Simcoe county. When I left, it was \$35 million a year and growing.

The cancer patients in Simcoe-Grey and the ridings of Parry Sound-Muskoka, Barrie-Simcoe-Bradford, York North, Simcoe North and Oak Ridges would all benefit from these cancer centres. How high does the mortality rate have to go? How hard do we have to hit your conscience before you'll build these centres? People are dying. They're having to go as far away as Sudbury and down to London and Windsor for treatment. It's appalling. We should work together and get these centres built. These are all Tory-held ridings. So, Minister, are you cancelling these centres because they're in Tory-held ridings?

You're responsible for governing for all the people of the province. You're playing politics with cancer, and you should be ashamed of yourself.

**Hon George Smitherman:** That 60-second display was nothing but shameful pandering. It was regrettable. It was designed to drive at the heart, through people's emotions.

To question in the fashion that he did was a little generous. It takes 33 months for only the capital construction element of a building like a cancer centre. We have been in government for somewhat more than 12 months. Was there a shovel in the ground? Was there a funded project? No, there wasn't. There continues—

*Interjection.*

**Hon Mr Smitherman:** No, that is inaccurate as well.

But the fact remains, if you go back to my earlier answer, I acknowledge the honourable member's concern. My mother lives in the same area. I'm not unaware of the growth that has occurred in Simcoe county. As I said in my very first answer, both the centres in New-

market and Barrie continue to be important priorities, and we're making considerable progress.

## PENSION PLANS

**Ms Andrea Horwath (Hamilton East):** My question is to the Minister of Finance. Minister, sitting in the gallery are a dozen or so members of the Participating Co-operatives of Ontario Trusteed Pension Plan, representing over 2,300 former employees of Ontario's farm and dairy co-operatives. Their pension plan has been fatally damaged by a risky investment strategy that went terribly wrong, negligence on the part of the province's pension overseer, the FSCO, and a huge hole in the mandate of the province's pension protector. Eighteen months ago, their very modest pensions of about \$700 a month were cut to \$350 a month, and their plan is soon going to be wound up.

Minister, you have told these people personally that the province takes no responsibility for this tragedy and there's nothing you can do about their situation right now. The New Democratic Party believes that you're wrong, that there is something that can be done. Will you take immediate action and meet with the plan members, and come up with an action plan to restore these hard-earned benefits?

**Hon Greg Sorbara (Minister of Finance):** I'm glad that my friend from Hamilton East met with these pensioners. Indeed, it was about two years ago this month, I think, that I met with them for the first time. I was in opposition at the time. I made submissions on their behalf to the then Minister of Finance. Later, after our government was sworn in, I had an opportunity to meet with these representatives of this plan.

The reality in the province is that there are two types of pension plans: those who pay into something called the pension benefits guarantee fund and, in that way, have their pensions protected in some measure, should things go wrong with the plan; and there is another group of pension plans in the province that doesn't pay into this plan and therefore does not have this insurance protection when something goes wrong with their plan.

The terrible, unhappy reality is that the pension plan that these pensioners paid into was not covered by the pension benefit guarantee fund and therefore their plans are not insured. I wish it were different. I wish that weren't the reality, but it is.

1520

**Ms Horwath:** Minister, that's just not good enough, and now you do have the power to make some changes for these people. The FSCO, the government's pension regulator, had ample warning of the problems but did nothing at the time, which you've admitted to. The former government made mistakes, the plan trustee made mistakes, the investment manager of the fund made mistakes, but the people who are paying the price for the mistakes of all these different players are sitting up there in the gallery, the other 2,300 members of this pension plan and in fact their spouses, totalling over 4,000 people



from every riding in this province. Every one of these members sitting here likely has one of these members in your riding.

Now your government is joining the long list of people who are throwing up their hands and saying, "There's nothing we can do. We feel really bad but there's nothing we can do about it." Minister, please do the right thing: Sit down immediately with the Co-operatives pensioners and work out some kind of compensation plan for these people who worked for decades in their industry, who worked very hard for very modest and meagre pension plans that they no longer can benefit from.

**Hon Mr Sorbara:** As the Minister of Finance for this province I would love, every time someone, particularly from the NDP, comes and says, "Fix this horrible problem"—the fact is that we have a group of pensioners who were being supported by a pension plan not covered by the insurance program that covered others.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Member from Whitby-Ajax, please do not interrupt.

Minister of Finance.

**Hon Mr Sorbara:** Some of the representatives of this pension plan have actually taken the right steps by commencing a class action against the trustees who were responsible for the plan. It's a problem that is going to take some time to resolve, but at the same time I want to tell you that we have looked at every single possible method so that we might help the members of this pension plan. The fact is that they were not covered by the insurance, and it would be inappropriate for me to intervene at this time.

#### CHILD CARE

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** My question is for the Minister of Children and Youth Services. I know that you've been in Ottawa this week, working with your counterparts from the federal, provincial and territorial governments on a new national strategy for early learning and child care. You know that families in Ontario face big challenges in terms of finding child care for their children, and they watch the progress of these meetings with great interest. My constituents are mostly rural, and rural regions face their own unique challenges in terms of child care. Minister, what were the results of your meetings in Ottawa, and what will that mean for families in Ontario, including our rural communities?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** Indeed, child care took many steps forward in these talks in Ottawa.

First of all we agree—provinces and territories—with the federal government to embrace the QUAD principles of quality, universality, accessibility and developmental appropriateness of the programs. We also agreed that the programs needed to be, although a system across the country, flexible within each province to address exactly

the issues that you just brought up: the rural and urban differences, and aboriginal communities, for example—a major step forward, and a lot of it had to do with the collegiality and respect among the provincial ministers, but also the respect for federal Minister Dryden.

**Mrs Van Bommel:** Families in Lambton-Kent-Middlesex and families all across this province are concerned that there are simply not enough child care spaces available. More and more families have two working parents. Our child care is no longer something that is a luxury; it is a necessity for these families.

In rural areas we have added concerns such as distance and transportation, lack of resources and child safety on our farms.

One of the things that is really worrying me is the report we have seen from the Organization for Economic Co-operation and Development that shows that Ontario's child care system is inadequate in its capacities and also inadequate in how it helps children to develop in those very critical early years. Minister, how is Ontario addressing these gaps, and what are you doing to make things better for Ontario families?

**Hon Mrs Bountrogianni:** Indeed, the OECD report is an embarrassing report, not just for Ontario but for the country—but particularly for Ontario. As I said in the meeting to my provincial counterparts, it was embarrassing to be representing such a wealthy province and yet to be playing catch-up, and that is because the former government didn't spend one red cent of extra investment in child care. In fact, they put federal monies into other programs.

You will see with the Best Start plan that we will show that we are not only committed to working with the federal government, but we are committed to improving accessibility and quality for child care across the province.

*Interjections.*

**Hon Mrs Bountrogianni:** I think it's the members opposite who should be careful, because our Best Start plan hasn't been announced yet.

#### HOSPITAL FUNDING

**Mr Cameron Jackson (Burlington):** My question is for the Premier. Premier, you'd be aware of course, coming from Ottawa, that your Montfort Hospital received a 15% increase. All the staff at Joseph Brant Memorial Hospital are perplexed because the community of Burlington and Oakville is growing at two and a half times the rate of the city of Ottawa, and yet they were relegated to a 1.2% increase in funding. Your prescription for starvation funding for Joe Brant has resulted in a \$6-million deficit. Sixty bed closures are on the table. Eighty nurses and cleaning staff are to be terminated. Another operating room is to close this year, with a 20% reduction in operating theatres.

Premier, how can you justify giving a 15% increase to a hospital in your community while the growth factors are such in a community like Burlington, which the Hos-

pital Services Restructuring Commission has confirmed, that it requires those additional beds and the additional funding in order to provide the needs of a growing community in the GTA like Burlington-Oakville?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** First of all, let me just say that I think it's entirely inappropriate, as the member is trying to do, to pit one community against another, one hospital against another. I don't think that is the responsibility of a responsible government. I don't have the details as to why one hospital got more money than another, but I can tell you that the minister would gladly speak to that if he were here.

I can say this: We are ensuring that every single hospital receives an increase in funding this year. We've tried to do that in as fair, as methodical and as dispassionate a way as possible. Now we're going to work with every single hospital to find a way to ensure that we can balance the budget and deliver still better-quality services, and we look forward to working with the member's hospital.

**Mr Jackson:** Premier, the staff at Joseph Brant Hospital are paying you about \$600,000 a year on your new tax. They didn't even get that money back for their hospital. They're justifiably concerned because we're a growing community.

Premier, when you sat on this side of the House, you talked about program protection in hospitals and you talked a lot about children. I want to ask you a specific question. Your mental health announcement for additional dollars specifically says it cannot be provided for children in the province of Ontario. The \$30 million you've committed is only for bump funding for staff salaries. No access to additional supports for children's mental health in the province will come from that. Child psychiatric beds in hospitals all across Ontario, in particular in my own community of Halton, are not protected under your minister's program of restraint going on in all of our hospitals.

Premier, will you undertake or commit in the House today that you will protect children's psychiatric beds to protect children who are suicidal, who have severe mental challenges? Will you protect those beds in this province and add them to the list, the very small list your minister has created that are protected programs?

**Hon Mr McGuinty:** First of all, let me just say that I'm proud to lead a government that has provided the first increase in 12 years for children's mental health services—very proud.

Also, to add to my initial response, regarding the means by which we determined how much one hospital got as opposed to another, hospital allocations were based in part on a formula that was developed by the Ontario Hospital Association.

Finally, the Hamilton-Wentworth-Burlington area was the recipient of \$40.3 million in additional health dollars this year and has expanded greatly the number of services in that community. I say again, through this member to his community, that we look forward to working with his

hospitals to ensure we can deliver still better-quality care in a way that is cost-effective.

1530

## TENANT PROTECTION

**Mr Michael Prue (Beaches-East York):** In the absence of the Minister of Municipal Affairs and Housing, my question is to the Premier. Tenants want to know, which side are you on? Many are forced to choose between paying their rent and feeding their children. During the last election and leading up to the election, you promised in public debate—and indeed all Liberals promised in public debate—that you would return to a regimen of real rent control. But behind closed doors you also promised the landlords and others that you would institute a plan of regional decontrol when vacancies went above 3%. I'm asking you point-blank today: Which promise are you going to keep? Is it your intent to protect the tenants, or is it your intent to embark on regional decontrol of rents?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I can tell you that our government will shortly be introducing legislation to replace the Tenant Protection Act, 1997, with fair and effective tenant protection. We're aiming for a new system of regulating rents that provides real and balanced protection for tenants. We will also improve fairness in the dispute-resolution process and encourage the proper maintenance and growth of rental housing across the province. We look forward to introducing that bill in due course.

**Mr Prue:** That's simply not good enough. The parliamentary assistant to the Minister of Municipal Affairs and Housing went before the Federation of Metro Tenants' Associations and point-blank told them that you and your party are committed, that all of the promises, including regional vacancy decontrol, are on the books. Those people are very upset and they want to know, is this your plan? Because if it is your plan, it is absolutely wrong.

The Daily Bread Food Bank, and perhaps you know about them in Toronto, is telling us that users of their bank are now spending 75% of their income on rent in Toronto. This is way up from 58% just a decade ago. And 2004 was the highest use of food banks in Toronto's history. Some 130,000 tenants paying market rent are using that food bank.

I ask you again, which promise are you going to keep? Are you going to protect tenants by maintaining controls or are you going to keep your private promise to institute regional decontrols in Toronto and other major cities?

**Hon Mr McGuinty:** Just to remind my colleague opposite of the record of his own party, here's a quote from his leader, Howard Hampton. This is from the text of a speech delivered to the Association of Municipalities of Ontario on August 20, 2002. He said, "We will implement a two-year rent freeze and re-establish rent control, with some exceptions if the vacancy rate was higher than 3%." It sounds to me like vacancy decontrol.



I can say that we've heard from both tenants and landlords. We've listened to what they had to say. What we will be doing is putting together fair and balanced legislation, and we look forward to doing that.

### LABOUR RELATIONS

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is to the Minister of Labour. In your announcement today, you introduced amendments to the Labour Relations Act, 1995. I've heard from both employers and employees who are tired of being whipsawed between, first, an NDP government that overly favoured labour, and then a Tory government that introduced a labour relations system that unduly favours business. Can you tell us what the key changes are and how these amendments will encourage balance, stability and fairness in Ontario's labour relations community?

**Hon Christopher Bentley (Minister of Labour):** I would like to thank the member from Scarborough Southwest for the question, and for his concern for the rights and fairness of workers and for the stability of the system.

We introduced today fair and balanced labour relations changes. Let me outline a few of them. First of all, the provocative one-sided changes made by the previous government: We're proposing to get rid of those. The decertification poster: There's no equivalent certification poster. That has to go. Union salary disclosure rules which aren't balanced by requiring companies to disclose similar information: They have to go.

What about the fairness of the process? For the worst labour relations abuses in the worst cases, the previous government got rid of the only effective remedy, a remedy that existed for almost 50 years: remedial certification. We're restoring that power to the board, and we're restoring as well a remedial power to stop any certification application if the union abuses. This is a fair and balanced approach to labour relations that has characterized Ontario for decades. That's the one we're pursuing.

### PETITIONS

#### HEART MEDICATION

**Mr Ernie Hardeman (Oxford):** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Health for Ontario, via OHIP, permits discriminating reimbursement policies for at least one specific heart medication, the medication referred to as Solatol, a medication required to establish regular heartbeat. The 80-milligram version cannot be claimed for reimbursement, while the 160-milligram version can;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To establish equitable rules for reimbursement by OHIP of the above-mentioned medication, and to instruct OHIP not to differentiate claimability for reimbursement on the basis of differently-sized doses for one and the same medication."

I add my signature to this as I agree with it.

#### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly from a group of residents in Toronto who join with us in our appeal for a new GO train station. It reads:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

I'm happy to sign this petition.

#### CHIROPRACTIC SERVICES

**Mr Ted Arnott (Waterloo-Wellington):** My petition is to the Legislative Assembly of Ontario and it reads as follows:

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors; low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a

cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

It's signed by many hundreds of my constituents and it has my support as well. I've affixed my signature to it.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** To the Legislative Assembly of Ontario:

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas the elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Whereas those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Whereas the elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"Whereas there was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

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### STUDENT SAFETY

**Mr Jim Flaherty (Whitby-Ajax):** I have a petition to the Legislature of Ontario.

"To the Legislature of Ontario:

"Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

"Whereas the Ministry of Education has chosen to ignore the children's aid society's recommendation that certain individuals not work with children; and

"Whereas the introduction of a 'volunteer' into the school system must not be solely at the discretion of the principal; and

"Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

"We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that

volunteers be subject to the approval of the school board and parent council."

I've affixed my name, and I introduced a bill to this effect today.

### CHIROPRACTIC SERVICES

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I have petitions that I'm going to present on behalf of chiropractic patients in Wallaceburg, and I read from them:

"I write to urge you to reverse the decision to eliminate OHIP funding for chiropractic services. This decision is short-sighted and ill-advised and puts my health and that of the entire province at risk.

"I believe the government must provide OHIP funding for chiropractic care because over 1.2 million Ontarians depend on chiropractic care for treatment and relief of back and neck pain, headaches, and other musculoskeletal disorders.

"This cost-effective and efficient care allows patients to continue to function and lead healthy lives. Without this care, patients will experience increased pain, increased time off work and greater disability.

"Access to care will be severely affected, as many patients will be unable to absorb the additional out-of-pocket costs resulting from delisting. Without OHIP funding, many patients will be forced to seek no care or to access more expensive care available through the public health care system. Where there are family physician shortages, they will have to wait longer for care and visit overcrowded and expensive emergency rooms.

"While government will save \$93 million by eliminating chiropractic coverage, the additional direct cost from patients accessing physicians, emergency departments and drugs will exceed \$200 million.

"I want my government to continue to provide OHIP funding for chiropractic care and call on you to change this bad decision."

That is signed by 700 residents of Wallaceburg.

### GASOLINE PRICES

**Mr Gerry Martiniuk (Cambridge):** "To the Parliament of Ontario:

"Whereas gasoline prices have increased at alarming rates during the past year; and

"Whereas the high and different gas prices in different areas of Ontario have caused confusion and ... hardship on hard-working Cambridge families;

"We, the undersigned, hereby petition the Parliament of Ontario as follows:

"1. That the Ontario McGuinty Liberal government immediately freeze gas prices for a temporary period until world oil prices moderate; and

"2. That the Ontario McGuinty Liberal government and the federal Martin Liberal government immediately lower their taxes on gas for a temporary period until world oil prices moderate; and



"3. That the Ontario McGuinty Liberal government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario."

As I agree with the contents, I set my name thereto.

#### OPTOMETRISTS

**Mrs Julia Munro (York North):** This petition is to the Legislative Assembly of Ontario.

"Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists (OAO) expired March 31, 2000; and

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists, in that they no longer cover the costs of providing eye examination; and

"Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care that they need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process, in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario."

I agree with this. I will affix my signature.

#### LESLIE M. FROST CENTRE

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition to reopen the Leslie M. Frost Centre, and I know the member from Haliburton-Victoria-Brock also has petitions for this purpose. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Centre has been Ontario's leading natural resources education, training and conference centre, aimed at fostering an understanding of natural resource management, with a focus on ecosystems and their sustainability for future generations; and

"Whereas the McGuinty government refused to consult with municipalities and other user groups before taking this drastic action and continues to operate in a clandestine manner; and

"Whereas this move will hurt the people and economies of Muskoka and Haliburton, especially those in the local tourism industry; and

"Whereas the Frost Centre is a valuable resource for elementary, secondary and post-secondary institutions as well as a variety of other groups;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government reverse the decision to close the Leslie M. Frost Centre, allowing valuable summer programs to continue while a long-term solution is developed."

I support this petition and affix my signature to it.

#### VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Waterloo-Wellington):** I have another petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

I have affixed my signature as well, and I am in full support of this petition.

#### LESLIE M. FROST CENTRE

**Ms Laurie Scott (Haliburton-Victoria-Brock):** "To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Natural Resources Centre has a long history in the county of Haliburton and provides an important historical link dating back to its use in 1921 as a chief ranger station; and

"Whereas the history and the use and management of natural resources in Ontario stretches back to the 1600s and forms an integral part of the overall history of the province and MNR, and the history of the ministry and the Frost Centre itself easily qualifies as a significant historic resource; and

"Whereas the Minister of Culture, Madeleine Meilleur, has said, 'The McGuinty government values and is committed to conserving Ontario's heritage for the

enjoyment and benefit of present and future generations'; and

"Whereas the Frost Centre is an important educational resource for the community, being described on the Ministry of Natural Resources Web site as 'Ontario's leading natural resources education, training and conference centre'; and

"Whereas closure of the Frost Centre would cause economic hardship in the local communities of the county of Haliburton and district of Muskoka due to direct job losses and loss of tourism dollars spent in local communities; and

"Whereas the local community has not been consulted about the closure plans;

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Dalton McGuinty Liberals should not close the Leslie M. Frost Natural Resources Centre."

This is signed by thousands of people from my riding.

#### HEALTH CARE SERVICES

**Ms Marilyn Churley (Toronto-Danforth):** I continue to get petitions on the subject of cuts to health services. This one reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

"Whereas this privatization of health care services will force Ontarians to pay out-of-pocket for essential health care;

"Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government's new regressive health tax;

"Whereas the Liberals promised during the election that they would not cut or privatize health care services in Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly as follows:

"We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care."

I fully support this petition and will sign it.

1550

#### HEALTH CARE

**Ms Laurie Scott (Haliburton-Victoria-Brock):** "To the Legislative Assembly of Ontario:

"Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services."

It's signed by many people from my riding.

#### CHIROPRACTIC SERVICES

**Mr Frank Klees (Oak Ridges):** This petition is to the Legislative Assembly of Ontario.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I affix my signature to this petition.

#### OPPOSITION DAY

#### HOSPITAL FUNDING

**Mr Robert W. Runciman (Leader of the Opposition):**

I move that the Legislative Assembly call upon the government to guarantee that no nurses will be laid off and no hospital beds will be closed over the course of the mandate of the McGuinty government.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Runciman has moved opposition day number 2. Mr Runciman?

**Mr Runciman:** I appreciate the opportunity to speak to this very important issue. It's also an issue when we're talking about hospital bed closures and loss of employment for nurses. Today provides an opportunity for Ontarians in many communities throughout the province who are facing severe restraints and job losses and negative impacts on hospitals in their communities. It's an opportunity to see how all members of this House react and respond to what is indeed, I think, a very fair resolution or motion that we put before the House.

As you know, the Liberal Party, in the election campaign of 2003, indicated that they were going to open additional hospital beds in the province of Ontario. They were going to hire 800 new nurses. Now we're starting to



see a number of hospitals coming forward—a limited number at this point, but we think this is going to snowball, this is going to really grow, as people become less and less concerned about the bully Minister of Health, Mr Smitherman, and the culture of fear that he has engendered in the hospital sector. More and more people, when they realize and appreciate and understand the impacts of the policies of the Liberal government, are going to come forward. They're going to be forced to come forward and state the case for their hospital and for their community and for public health care in the province of Ontario.

Since the election of the Liberal government in 2003 we've asked these questions related to the health care sector, specifically the hospital sector in the last number of weeks because of our growing concern. What we got in terms of responses from the government, the Premier and his ministers was what we received in the earlier sessions of this House: non-answers, glib responses and a Premier who continues to play a juvenile blame game. Instead of getting up and responding to serious issues, serious concerns of Ontario citizens, what does he do? He does not provide a serious response; he gets up instead and goes back, in one instance we heard today, to 1994.

The reality is that that Premier and that government have been in office now for over a year—they're now into their second year—and this Premier, his ministers and his backbenchers have to stand up and start defending the policies that this Liberal government has put in place and the impact that they're having across the province of Ontario. They cannot continue to provide the kinds of glib non-responses to us and, through us, to the vast majority of the public of Ontario that they've been delivering over the life of this Parliament.

We raised the issue of London. That's the most pressing issue of the day with respect to the very dramatic impacts that the government's bullying approach to hospitals is going to have. We saw situations of 1,000 jobs being lost, over 346 hospital beds being closed, 4,000 day surgeries being cancelled, if they have to follow the dictates of the late-breaking Minister of Health.

That is not the only situation. I can mention a few, just to put them on the record: Four Counties hospital in Newbury—20 beds to be closed; Cambridge hospital—27 jobs lost, 18 programs cut; Campbellford—19 beds to close, 21 jobs to be cut; Joseph Brant Hospital—90 beds to close, 100 jobs to be cut.

We know the Premier has a bad memory when it comes to the promises his party made during the 2003 election. We know, certainly, that he has broken a significant number of them; I think the latest count is 37 out of 231.

**Interjections:** Shame.

**Mr Runciman:** Shameful, indeed. But perhaps what is even more shameful is the response and the reaction of Liberal members of the Legislature. We've seen that in really dramatic terms in the London area in southwestern

Ontario, where we have a number of members—I think five of them: Mr Bentley, Ms Matthews, Mr Ramal, Mr Wilkinson and Mr Peters—who are simply not around. They're missing in action. They're not standing up and speaking on behalf of their own constituents. I want to put one point—

**Mr Bob Delaney (Mississauga West):** On a point of order, Mr Speaker: It's contrary to the standing orders to either refer to missing members or to refer to them by name.

**The Deputy Speaker:** That is a point of order. In this case there was no mention of any missing members. I don't think there was any malicious intent of mentioning names. I'll listen carefully from now on.

**Mr Runciman:** Mr Speaker, that was a Liberal effort to use up the time of the opposition.

I want to put one quote on the record from Mr Peters, Elgin-Middlesex-London, who was a vitriolic, and in many ways, an offensive member of the opposition. He certainly never let up in his efforts to attack the former Conservative government.

One quote from Mr Peters, and we have a significant number of them, is from October 29, 2001: "The minister must immediately intervene into what's going on in London. Consider the value of this academic centre ... ensure that the appropriate funding is allocated to the London Health Sciences Centre now. Show some leadership."

Why doesn't Mr Peters show some leadership now? He's a member of the Liberal cabinet. Where is he? He's missing in action.

**The Deputy Speaker:** Further debate?

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate this afternoon, a resolution that calls on the Legislative Assembly to call on the government to confirm that there will be no nurses laid off and no hospital beds closed over the mandate of the McGuinty government. Of course, this would stem very clearly from the election promise that was made by the Liberals that I would read into the record now, election promise number 126: "We will bring stability to our hospitals by providing adequate multi-year funding." If indeed it was the intention of this Liberal government to live up to that promise to bring stability to the hospitals by providing adequate multi-year funding, then of course there wouldn't be any nurses laid off and there wouldn't be hospital beds closed.

1600

The reality is quite different. The reality is that the government has no intention of keeping its promise to bring stability to our hospitals by providing adequate multi-year funding. Instead, this minister and his government have said to hospitals, "In the next 18 months, balance your budgets or else." They are essentially holding a gun to the heads of those administrators, those volunteers on local boards and the chairs of those local boards, and saying very clearly, "Regardless of all the funding pressures you have to face as a local board in trying to deliver health care through this hospital, regardless of the elec-

tion promise we made, which essentially would have increased funding, you have to get rid of your deficit. And if you don't, well, cut the programs, cut the services, cut the staff, cut whatever you have to, because we are not going to support your hospital any more after that 18-month time."

I think that is very clearly going to result in not just a loss of nurses and the closure of hospital beds; it's going to result in the loss of cleaning staff in our hospitals. It's going to result in the loss of many other CUPE workers, for example, who are in the kitchen, who are registered practical nurses etc. There's no doubt in my mind that if the government proceeds in the direction it is now pursuing, one of confrontation with hospitals, one of holding the gun to their heads and saying, "Balance your budget or else," there will be many negative consequences for many of our communities.

In the time I have, I want to focus on the hospitals in our part of the world, in northern Ontario. Let me begin by reading from a letter that was sent to all northern members, I would assume, from Jackie Thoms, the director of the OHA board for region 1 and a trustee at the Sudbury Regional Hospital, and Mr Fjelsted, who is a director of the OHA board as well, and vice-chair of region 1. He is the CEO of the Kirkland and District Hospital. We heard about the concerns in that hospital. Those were raised on Monday by my colleague Gilles Bisson. These two people have written to northern members and said the following:

"As representatives of northern communities, we feel it's important to ensure that you are aware of some of the issues northern hospitals are facing and the potential impacts on the communities we serve. Eighty per cent (32 of 40) of hospitals in the north are predicting a deficit for the 2004-05 fiscal period. Of these, 68% (27 of 40) are predicting a deficit of more than 2% of expenses. Of all Ontario hospitals with severe funding shortfalls (greater than 8%) 44% of them are in northern Ontario. Cumulatively the net predicted deficit for northern Ontario hospitals is in excess of \$51 million.

"For fiscal year-end 2003-04, northern Ontario hospitals ended the period with a net combined deficit of approximately \$10 million. This situation was further aggravated by the fact that the MOHLTC"—the Ministry of Health and Long-Term Care—"February 2004 funding announcement for northern hospitals included approximately \$13 million in one-time funding"—not funding to base. "Northern hospitals collectively commenced the 2004-05 year with a \$23-million shortfall. By contrast, hospitals in the greater Toronto area ended the 2003-04 year with a net surplus of \$119 million, of which only \$17 million was one-time funding.

"The net result"—and this is very important for people from where I'm from—"is that northern hospitals, most of which are small and isolated, commenced the year with a \$23-million deficit. ... This fact in itself supports our argument that the current methodologies and decision-making processes used by the Ministry of Health and Long-Term Care to allocate hospital funds seriously disadvantages northern hospitals."

Do I hear the Minister of Health talking about his willingness to sit down with northern hospitals and determine a better funding formula? No, I do not. I hear the same minister say, "Balance your budget or else."

"It is also important that you are aware of the impact of current directions we receive from the Ministry of Health and Long-Term Care. At one end of the spectrum of services, the ministry has prepared a list of protected programs. These are primarily tertiary ... services such as cataract surgery, joint replacement and cardiac procedures. We welcome the protection of these services as many of the patients we serve are referred for these services and several of our larger northern hospitals provide the protected programs. At the other end of the spectrum, many of our northern hospitals are providing primary core services to communities that are already severely underserved from the viewpoint of physician shortages and inadequate community-based services. In order to meet ministry-mandated balanced-budget requirements, many northern hospitals will be forced to reduce or eliminate basic core services that are taken for granted in most parts of southern Ontario."

That's a serious concern for me. I hope it soon becomes a serious concern for the Minister of Health, because most of our community hospitals in northern Ontario are in small, isolated communities. There are five major regional centres, five hospitals. Most of them have deficits too. But in the smaller communities across northern Ontario, those hospitals are the only health care game in town. If people can't access basic core services there, then they are travelling hundreds of miles to try and access them somewhere else. I can tell you, if every small, isolated northern community has a hospital that's under the gun because of a deficit, they're going to be driving a long way to find a hospital that will still have the core services they require.

I also want to say that I've heard the minister say on a number of occasions that he expects that community-based services will be in place in some of these communities and that will take the load off the hospitals so that some of those programs that the hospitals are now providing can, in fact, be transferred to communities. I tell you, the fact of the matter is, the community-based services are not—are not—in place in our communities, and they will not be in place in our communities by the end of next fiscal year.

I heard the minister say, "Well, we can look at family health teams because we're going to have new family health teams and they can bear some of the load." This government hasn't announced one single, new family health team since it's been elected. In the last year you haven't announced one family health team, so how do you expect them to take off the load from the hospital?

I heard the minister say that they allocated more funding for home care so that's going to take off some of the load on the hospital. I remind you of the announcement you made this summer. Only half—only half—of the money that you announced actually flowed to the community care access centres to provide more health



care. How are the community care access centres going to be in a position to ramp up services that the community is going to need in about a year and a half from now? They won't be able to do that.

I remain very concerned about what's going to happen, and I just want to put on the record some of the deficits that some of our hospitals are facing. Let me start with two small ones. I mentioned earlier that we had a letter from both of the chairs who represent the northern region. Here are some of the figures that have been provided with respect to some of the hospitals they service.

Let me deal with Kapuskasing first. This year, Kapuskasing has a deficit of \$582,000. I can tell you, they did not get a funding increase in that amount from the government to cover that deficit. The CEO of the Elliot Lake hospital said this in a media interview on September 27: "I think it's fair to say that the deadline for developing a business plan that balances the budget in the short time frame offered by the Ministry of Health is unrealistic, if not reckless." "Unrealistic, if not reckless"—that is the CEO of St Joseph's hospital in Elliot Lake. That is someone who should know what it's going take to try and balance the budget and what will happen if the government proceeds to hold a gun to people's heads and they have to eliminate programs and staff in some of these small communities.

Again, he says, "unrealistic, if not reckless." I bet the consequences of that will be severe if the government doesn't back off.

1610

Let me deal with the Timmins and District Hospital. They sent a letter, dated September 21, 2004, to Minister Smitherman regarding the need to balance their budget. It says as follows:

"Dear Minister:

"We need your ministry's assistance in order to resolve a forecasted \$3.9-million deficit for fiscal year 2004-05 and a subsequent projected \$6-million deficit in fiscal year 2005-06 in order to balance our hospital budget as required by March 31, 2006.

"We require this financial support since our hospital is in a significant working capital deficit position and we project to be at the maximum of our bank credit line in February 2005." That's the situation this hospital is in.

"A total budgetary shortfall of \$6 million on a \$70 million operating budget translates into a 10% reduction in our workforce (ie 60 FTE jobs). This would mean a major change to our hospital, its program/services and our workforce. In order to mitigate reductions of this magnitude, we respectfully request transitional/restructuring funding in order to be able to offer early retirement and voluntary exit packages to our staff. The funding that we would require is in the \$2.5- to 3-million range." Of course, that only deals with half of their projected deficit next fiscal year.

"We hope that your ministry will be able to assist us to minimize the impact of these staff reductions on our health care team and on our community."

That's signed by Don Wyatt, who is the chair of the board of directors, and Esko Vainio, who is the executive director. I think they know how budgets work in their hospital. I think they know the programs and the services and the staff that are going to be put at risk if the government continues down the path it's on, which is one of confrontation with our hospitals.

I don't know if they got a reply to this letter. What I do know is that even if they get a positive response from the government, they're going to be in the unenviable position of laying off staff, of letting them go out the door as early retirement and not being able to replace them, which surely is going to have an impact on patient services and patient care. And they're still going to be \$3 million short of the projected budget deficit that they have next year. So they're still going to have to cut more programs and do other things to balance the budget and get rid of the \$3-million deficit that might be alleviated—might, I say—if the ministry provides them with some financial assistance to offer early retirement packages. That's the situation in Timmins.

Let me deal with the situation in North Bay. This is a news report from Saturday, October 16.

*Interjection.*

**Ms Martel:** Maybe my friend Ms Smith will comment about the situation in North Bay; I hope she does.

Let's just look at the October 16 North Bay Nugget, which says that they now have an anticipated deficit of \$10.2 million, down from \$13.5 million. They still have \$10.2 million to go, and I'm going to be very interested in seeing how they manage that. I think a lot of people in North Bay are going to be very interested in seeing how they manage that.

Mr Mark Hurst, who is the president and chief executive officer, says "the hospital hopes the province will look at the reduced deficit while recognizing uncontrollable costs—such as those associated with operating two sites—before considering any program or service cuts."

You see, in North Bay, the chair of the board has already said that he is not going to cut staff or programs. If the government wants that to be done, then the government can come in and do it themselves. It's very clear in this article from Saturday, October 16: "The board has said it will not make program or service cuts and is leaving any decisions to the province."

How much money did they get? This year they have a \$10.2-million deficit. Do you know what they got? "The province has promised the hospital a 1% funding increase this year, representing \$686,200 toward the reduced deficit."

I've got to tell you, they have a long, long way to go and they've got a lot of program cuts, staff cuts and bed closures in order to close that gap.

Here's what else the CEO said—the minister has said, of course, that they're going to send in turnaround teams and that's all that's required, because the turnaround teams are going to be there to identify all the savings that are required. Mr Hurst, who is the CEO, said that "the

hospital has already conducted an external review and is expecting a peer review team to be called in....

"The board has said it isn't opposed to opening its books to the province, but believes the" turnaround "team will be hard pressed to find efficiencies other than those the hospital has already identified."

I'll bet you that Mr Hurst is right, because one of the uncontrollable costs that is keeping the hospital in deficit has to do with alternate level of care patients who are being kept at the hospital at an annual cost of about \$4.4 million.

The other huge problem they have which is uncontrollable is the fact that there's \$3.1 million due to inefficiencies, which is only going to be rectified when the hospital is on one site. That hasn't happened yet, and that's not going to happen before the deadline the minister has already given the North Bay hospital.

So there's the situation in North Bay. There's quite a significant deficit to be dealt with and a board that says, "Fine, bring in the turnaround teams. We welcome their presence. But we don't think they're going to be able to find much that we haven't found and we don't think they're going to be able to instruct us to do much that we haven't already done." It will be interesting to see what the minister's response is in North Bay.

Let's deal with Sault Ste Marie. Sault Ste Marie also has a very significant deficit problem. In June, the hospital announced a \$5.8-million deficit for the 12-month period ending March 31, nearly triple the \$2.1-million shortfall of fiscal 2002-03. So things are getting worse there, not better. The deficit was the third in as many years and the sixth in the past eight. A further \$6-million deficit is forecast for fiscal 2005-06.

Mr Walker, who is the chair of the board, said very clearly that he would welcome turnaround teams, that their board would prefer to try to deal with the deficit themselves. His concern is that they don't know what else they can do to deal with that deficit, what else they can cut, what else they can postpone and what else they can put off in order to meet the arbitrary deadline that the minister has set out.

The situation has escalated quite significantly in Sault Ste Marie. There was a press conference held by Dr Tim Best, who is president of the Algoma West Academy of Medicine, representing a number of physicians in the area. This was held at the end of September. He made it very clear that this hospital could face a crisis in its service cuts if the Ontario government doesn't do more to provide the hospital with more money. That is someone who actually provides health care at the hospital. In response to his press conference, city council also passed an emergency resolution demanding a meeting with the Minister of Health. That was passed on Tuesday, September 28. Let me give you a couple of quotes from some of those city councillors.

Ward 2 Councillor Terry Sheehan, who moved the resolution, said that the Soo is in a critical situation and that the city seems worse off than other places.

The councillor for ward 5 said that Sault Ste Marie deserves better quality health care than they get: "I

believe northern Ontario shouldn't sign any agreements (with the provincial government) until our health care issues are dealt with."

That resolution was sent to the minister, asking for an emergency meeting between local health representatives and the Minister of Health to discuss the need for additional funding for the Sault Area Hospital.

What is interesting about the Sault Area Hospital is that after all that happened, on October 14 employees at the Sault Area Hospital were notified that there would be layoffs of 75 full-time-equivalents. We got this information from the chair of the CUPE council in Sault Ste Marie, Elsa Morehouse, who sent the following e-mail: "Men in black suits and briefcases arrived today and swarmed all over the building, held forums for the employees and informed them that 75 full-time equivalents will be laid off—two managers were physically taken from the hospital! Disgusting when you know the nurses/cleaning staff/technicians are all working themselves to a standstill trying to keep up with the workload."

So here we are: Even before the arbitrary deadline that the minister has imposed, a hospital in northern Ontario has announced to its employees that 75 of them will be laid off, and that's with a \$5.8-million deficit this year. Next year it's projected to be \$6 million. I wonder how many more staff at the Sault Area Hospital are going to get layoff notices, and I wonder if the Minister of Health has responded to the request from city council to have a meeting in order to deal with the crisis facing this community.

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That's just a highlight, or a flavour, of the situations facing some hospitals in northern Ontario. This government can continue in the direction it has started to go, on the road it has started down, one that has been marked by a great deal of confrontation and the minister making allegations about hospitals that they are doing not near enough, not putting their minds to the tasks, in order to deal with the deficits. This, of course, totally ignores the fact so many of these hospitals are dealing with costs that are completely beyond their control in terms of wages and salaries and negotiations that are arrived at, in terms of in-hospital drug costs, in terms of costs for utilities and other things they are facing—medical equipment etc. A lot of those costs are completely out of their control and are going to continue to be completely out of their control.

The government can certainly proceed down this road. It would be absolutely contrary to the promise that they made in the election, which was to provide stable multi-year funding to hospitals. Frankly, worse, I think it's going to be extremely detrimental and have very serious negative consequences in northern Ontario. I said at the outset, as I quoted from the letter that northern members had received, that northern Ontario hospitals in particular are facing very serious deficits. A majority of them, 32 out of 40, are in deficit situations. In many of those communities, the hospital is the only health care game in



town. They are providing basic care now, and if there are cuts to basic care, I don't know where northerners are going to get their health care. I can tell you it's not going to be in the community, because the community-based services that the minister has talked about aren't in place and aren't going to be in place by the time of the deadline the minister has imposed.

I hope the minister will take a very serious, sober second look at the direction he is proceeding in, and if he still feels very confident that this can all be done, then he should be quite prepared to support the resolution that's before us, which says that no nurse will be laid off and no hospital bed will be closed. I look forward to seeing what he might do in that regard.

**Ms Monique M. Smith (Nipissing):** I'm delighted to speak to this resolution today. In his opening remarks, the member for Leeds-Grenville said that he would be looking for the response and reaction of members of this House to his resolution. I can only tell you that my reaction is one of being stunned. I am stunned by their audacity; stunned by the audacity of the Conservatives in this House to bring this motion today, given their past record in health care, and particularly their record with respect to the nurses of our province. I find it remarkable that the party that was led by my predecessor, Mr Harris, who stated in 1995 that it was not his plan to close hospitals, then went on to close—

*Interjection.*

**Ms Smith:** —together with the member for Nepean-Carleton, 28 hospitals in our province. It is stunning that this party that, while in power, cut funding to hospitals by \$557 million, a cumulative cut of 8%, is now here today to righteously—

*Interjection.*

**The Deputy Speaker:** Excuse me. Member for Nepean-Carleton, I seem to recall that you were warned once already today, so be careful. Thank you.

**Ms Smith:** We can only hope that if we keep warning him, some day it will stop.

You may recall the infamous statement made about our nurses in this province under the previous government, which said that nurses had gone the way of Hula Hoops, and fired 8,000 of them. They spent \$400 million firing 8,000 nurses, and then they spent hundreds of millions of dollars trying to attract them back. Some of those nurse were colleagues of mine with whom I went to high school, colleagues who went to Texas because they couldn't find good jobs here, because they weren't respected here, because they were treated so badly under the previous regime.

This government also left our hospitals with \$721 million in unpaid bills. They closed 5,000 hospital beds in their first two years in office. Their record on the health care file is abysmal, and it's shocking that they could be bringing this resolution before this House today.

They continue today, before this House, to raise the spectre of fear. It is obviously what we've come to expect from that party, but again, it's not what Ontarians want. That was the reason they voted the way they did last

October, and that's the reason they have voted for positive change, which we are bringing to the province. As the Minister of Health has said on many occasions, he is working toward creating a system for our health care in Ontario. I would like to review our record to date on what we are doing with respect to health care in Ontario, for Ontarians. We are investing record amounts of money in community health care.

We are investing an additional \$469 million in new funding in our hospitals, but we are also investing in other forms of health care that will ease the pressure on our hospitals. We are investing over \$600 million in community health care. This is a significant investment. Some \$103 million in home care this year will allow us to care for 21,000 new clients this year alone in Ontario.

Let me just tell you that while I was reviewing long-term care across the province, I heard an awful lot about home care. People in Ontario are looking for a spectrum of care. They don't want just hospital care; they don't want just long-term care. They'd like to age in place; they want the supports of home care. Our additional \$103-million investment in home care this year was very well received by those who need care in their homes, by the residents of Ontario and also, I should note, by the Ontario Hospital Association, which recognized that this investment will reduce the pressure.

I'd like to quote Hilary Short, the OHA president and CEO: "Over time, this home care funding should relieve some of the pressures being faced by Ontario hospitals.... The investment will help reduce hospital admissions and allow those needing chronic and palliative care to receive their treatment in the comfort of their own home."

Ms Short went on to say, "We welcome the government's commitment toward improving access to care.... By making investments in one sector, the benefits can be realized in others."

The member for Waterloo is only too familiar with Ms Short and how well-versed she is in health care in Ontario. I think her statements today indicate that she realizes that our investment in home care is an important step in reducing the pressures on our hospitals and allowing our hospitals to function as they should.

Over the last year, we've also invested \$65 million in community mental health care. This is the first base funding increase in over 12 years. This was incredibly well received in our communities and was much-needed funding for our community-based mental health care.

I'd like, for a moment, to speak to long-term care, which of course is an issue near and dear to my heart. After finishing my review of our long-term-care system in the spring, we announced \$191 million to enhance the quality of long-term care across the province. This will add another 3,760 new beds to our long-term-care system and will also add 2,000 front-line workers, among them 600 nurses. We announced this Monday—

**Mr John R. Baird (Nepean-Carleton):** I'm sorry, Monique. I didn't realize how great you were.

**Ms Smith:** Thank you. The member for Nepean-Carleton is just heaping me with praise today, and I appreciate it so very much.

**Interjection:** What would we do without him?

**Ms Smith:** Exactly. What would we do without the member for Nepean-Carleton?

In long-term care, we are investing in nurses, and we value the service that our RNs, our RPNs and our nurse practitioners are bringing to our long-term-care homes. While I did my review, I spent eight hours on a shift with an RPN at Cassellholme in North Bay. It was an eye-opening experience. I doubt very much that the member for Leeds-Grenville has ever spent more than an hour in a hospital, perhaps as a visitor, but has not experienced an entire shift.

An entire shift really demonstrates how much work is packed into eight hours for these nurses and personal support workers. The front-line workers in our hospitals and long-term-care homes are providing a great deal of service and care to our residents. An impressive amount of effort goes into every single day. What they do is bring to it a passion for care. They believe in what they're doing. They are treating these patients, these residents, with dignity and respect, and in our long-term-care homes they are truly creating a home environment, which I can only thank them for. We respect them very much for that.

We are investing an additional \$469 million in new funding in hospitals this year, an increase of 4.3%. In particular, we've spoken about some specific hospitals. I'd like to talk to you a little bit about the hospitals in my riding. I have two hospitals in my riding: the North Bay General Hospital and Mattawa General Hospital.

North Bay General Hospital is working with a deficit, it is true, and we are working very hard with them to work toward a balanced budget. The hospital has indicated that they are willing to work with the ministry to help solve these problems. They actually volunteered from the very beginning. They offered to take on a turnaround team to allow them to find efficiencies and resolve the issues surrounding their budget.

Mattawa General Hospital is another interesting hospital in my riding. It has actually been housed in portables since the 1970s. The hospital was created in portables in the 1970s as a short-term measure awaiting the creation of a real hospital, a permanent structure.

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As you know, my riding was represented by a member of the Conservative Party from 1981 until most recently. During that time, they were unable to create a hospital for the people of Mattawa. The Minister of Community and Social Services had the honour of visiting the Mattawa General Hospital with me last year. She too was shocked by the state of that hospital and the fact that for so many years the people of Mattawa had not been able to obtain a permanent structure and a healthy building in which to provide health care.

But we are working with both the Mattawa General Hospital and the North Bay General Hospital toward the creation of their new hospital projects, as well as dealing with their operating deficits. The North Bay General Hospital hired six new nurses this year under the focused

funding that we provided for nursing, and the Mattawa General Hospital hired one new nurse. So we are not in any way reducing the number of nurses providing services in our hospitals in my area, but in fact we are increasing the number of nurses and health care workers.

We recently announced \$1.1 million for long-term care in my area, a welcome investment in long-term care and I think a just reward for the long-term-care homes in my area that are providing such great care to our seniors.

We are also working in a spirit of co-operation with our hospitals, a spirit that has been sorely lacking in the previous administration. We have a plan to create a health care system—thank you, Mr Speaker, for noting again that the member for Nepean-Carleton is getting out of hand.

We are creating a health care system. We are working hard toward that end. We are working in co-operation with our health care partners, and I continue to work with the minister and all the members of our government to achieve that goal.

**Mr Baird:** The resolution before us—that's what we're debating. I think too often members talk about things other than the issue before us. I, of course, always speak to the issue that's before us.

It says that we call upon the government to "guarantee that no nurses will be laid off and no hospital beds will be closed over the course of" this government. Well, this party, Dalton McGuinty, promised 8,000 net new nurses. He promised 1,600 net new hospital beds.

They have no intention, apparently, of letting nurses go or of letting hospital beds close, so I am convinced that this resolution is going to pass at 6 o'clock, it's going to pass unanimously, because this resolution simply calls upon the government to keep its campaign promises. They say they're not going to fire nurses. They say they're not going to close hospital beds or see patient care cut, so we're going to pass that. But I suspect that the Minister of Health has bullied his caucus into voting against this resolution. Those people over in the Hepburn Block, who are sitting on the 10th floor watching television right now, have got to these MPPs, I am going to bet you. Those people like Jason Grier and Ken Chan have got to these members and have got them to vote against it, I fear. Jason, tell me that I'm wrong.

Look at the Ministry of Health. We need a turnaround team to go into the Ministry of Health. It was discovered at the estimates committee by our party's health critic that the increase to the administration of the Ministry of Health is up by 6.87%. On the administration line for the Ministry of Health, the budget is up by almost 7%. But you're saying to the Queensway Carleton Hospital, "Make do with 0.6%."

The Premier came in here today and bragged that so many hospitals had actually balanced their budget. Well, the Montfort hospital balanced their budget; they got a 15% increase. If you gave the Queensway Carleton Hospital the approximately 5% budget increase they asked for, they could balance theirs too. But they can't, without laying off nurses and without closing beds.



I fought too hard, with the member for Lanark-Carleton, to lobby successive ministers of health and Mr Wilson, Ms Witmer or Mr Clement for additional funds and resources and beds and MRIs and other things to make that hospital successful, to get that hospital on track financially, to see it slip away.

Look at 1.8%—the Ottawa Hospital, the hospital that serves my riding. For those members who don't know, my riding is right next to Dalton McGuinty's riding. They border each other. I'm the only opposition member whose riding borders the Premier's riding. The Ottawa Hospital—two of the campuses are in his riding, and it serves the people in our community. They got a 1.8% budget increase. All they asked for was 5.99%, demonstrably less than the rate of health care inflation.

Now the administration—Jack Kitts, the president of the Ottawa Hospital, has he fired people? He fired paper pushers and put more money into front-line care. He saved \$25 million as CEO of the hospital, and he cannot do any more without affecting patient care.

The London Health Sciences Centre—it's like London is an MPP-free zone. No one in London ever comes into this place and demands more money for their hospitals.

**Mr Tim Hudak (Erie-Lincoln):** Who are the members?

**Mr Baird:** The member for London West, the Minister of Agriculture or Minister of Labour, or the member for London North Centre or my friend here from London-Fanshawe, who has a good sense of humour and I like him. No one is standing up and saying, "How did my hospital get a 0.2% budget increase?" I'll tell you, there would be bloody murder if the Queensway Carleton Hospital had got that kind of increase when there is \$825 million of cash, cold cash, sitting in the bank account in the Minister of Finance's office, \$825 million that came from the federal government to help our health care system and hospitals.

I could go on. I would like to go on. The member for Lanark-Carleton, who is with us for debate on this important issue, wanted me to raise two concerns, because he goes on about these hospitals all the time, as members will know. The Carleton Place hospital is only getting 2.6%, and the Perth and Smith Falls hospital is getting only 1.8%. They need our help.

If we pass this non-partisan resolution—nothing partisan about it; there are no "whereases" in this resolution condemning the government. We're asking for your help to ensure that no nurses are laid off and that no beds are closed.

I look to all members of the House. Tell the whip, "No way. I'm going to stand up for the hospital in my riding." Tell the whip that democratic renewal starts right here, right now, today in the province of Ontario. Tell the whip your hospital is more important than the extra 50 bucks a week you get for being a Vice-Chair of a committee or something. Tell the whip, that demon of despair who threatens and bullies people, that you are going to stand up for nursing and that you are going to stand up for hospital beds and that you are going to stand up for health care in your community.

**Ms Andrea Horwath (Hamilton East):** I have to say that the motion is an interesting one, and one that I think should get support from all members of the Legislature. The reason it should get support is that I think people in Ontario have spoken loud and clear about the fact that they really do want to see their health care system protected. In fact, it's not just Ontario. People will know that across Canada health care is the primary issue on the minds of Canadians. So it is not surprising at all that this motion has come forward.

But what is quite surprising is that the government had made many promises in that regard, and has broken them one by one. It looks like they're going to continue to do so, so it's not surprising that the official opposition will bring this motion forward to try to get the government to actually keep some of their promises on health care, specifically promises that are important to local communities.

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You've heard member after member get up and talk about hospitals, not only in their local communities but in other communities nearby to theirs. You can hear the frustration that is coming through the members here on behalf of the citizens, on behalf of the residents of Ontario, as they watch in fear the kinds of shenanigans that are going on with the Minister of Health and the health care sector, particularly the hospital sector. The motion, I think, speaks, if I'm not mistaken, specifically to nurses: "That the Legislative Assembly call upon the government to guarantee that no nurses will be laid off and no hospital beds ... closed over ... the mandate of the McGuinty government."

I have to tell you, the community that I come from has concerns not only about these issues but also about projects that had been approved and that are waiting to be funded, that are waiting, apparently, because there is some lack of willingness for these projects to get the go-ahead. My understanding is that those projects are queued up waiting for the rubber stamp of cabinet. That is quite a frustrating thing. It is a frustrating thing for the administrators of those hospitals, and it is a frustrating thing for all of the people who are intending to be working on those projects. So it's not only a matter of the hospitals and their administration and the people that are looking to supply new and improved wings and new and improved services in some of these facilities, but also, quite frankly, those people who would become employed in those situations of building some of these capital projects.

In fact, St Peter's Hospital comes to mind specifically. It was raised in this very Legislature not too long ago and is really concerned about capital projects that are being withheld or held up through lack of commitment. Two projects particularly have been approved. They've been approved in principle, but the funding is not flowing. The brakes have been put on. That is simply not a tenable position for St Peter's Hospital to be in.

The question is, why? I think, again, that has to be asked in a very specific and concerned way because we



all know that the money is coming out of our pockets right now, through the health tax. It is coming out of our pockets every single pay to pay for these improvements, to pay for these guarantees in the improvement of our health care system. We're not seeing the results. So not only are we getting the money taken out of our pay-cheques every single week to pay for improvements to the health care system, but the government is also getting some \$825 million more from the federal government to pay for improvements to our health care system.

Where is all this money going? In fact, my understanding is that there is over \$2 billion in reserves sitting there waiting to be spent, waiting to be used to improve the health care system in Ontario, waiting there on a shelf to actually do the good work that the government claimed it wanted to do during the election in terms of the health care system. That's just not good enough. I mean, it is just not good enough that you have health care workers, that you have doctors, that you have administrators, that you have citizens of this province waiting for these promises to be fulfilled.

The situation is quite severe. We know that the hospitals are in a significant deficit situation overall. We know that there is a \$622-million deficit this year collectively for hospitals. That is something that is on the books. It was announced quite clearly in August by the Ontario Hospital Association. We know that the forecast is that these operating costs are going to continue to increase. We also know that only \$470 million was offered in increased funding for these hospitals for this year.

What people have to realize is that the hospitals are not living in isolation from every other individual and every other institution and every other organization in Ontario. The same kinds of pressures that we all see on our personal budgets, that we all see on our workplace budgets, that we all see day in and day out, are also affecting hospitals. What are those pressures? Well, we all know what they are: pressures like hydro, the cost of power; pressures like insurance, the cost of insuring the medical staff and the facilities; the cost, for example, of food care services; the cost of cleaning; the cost of wages. All of those things are pressures that are increasing annually in the hospital sector. The rising cost of drugs, quite frankly, is a significant pressure on hospitals.

I already spoke about hydro, but the other utility rates are going up as well. Here we have all of these pressures coming to bear on hospitals. They're telling us what their deficit situation is right now, and they're being told, "No, you're not even going to get enough to cover you off this year, let alone next year. In fact, in this two-year period we expect you to somehow be able to deal with this and balance your budgets without any help from the government." On top of that, it looks like—and we'll see what happens when this motion comes to a vote—we're going to have a government that's not even prepared to support some basic fundamentals around hospital beds and nurses in the province of Ontario.

The thing that's quite frustrating as well—and it's interesting—is that this government was extremely criti-

cal of the previous government, extremely critical of the previous government's track record on health care in particular. What's interesting, coming from a Hamilton perspective, is that some of the ministers of the current government—in fact, one of the ministers of the current government was leading the fight in Hamilton to prevent a hospital from closing. Now, at a time when we have real concerns in our Hamilton hospitals, the same kind of situation is happening here: This new government is now going to follow in the same footsteps. We're going to have beds closing. We're going to have services being reduced in certain hospitals in Hamilton.

Again, when you look at what the plan is, the government has said quite clearly that certain areas cannot be touched. So as you go through the process of trying to deal with your deficits and balancing your budgets over the next two years within the context of reduced funding and growing pressure on all of the areas of expenditure that the hospital has to deal with, you're not allowed to touch certain services, you're not allowed to make cuts in selected areas.

What does that mean? That means that the other areas where the hospital provides services, the hands-off ones, are the ones that are going to feel the greatest extent of pressure. And what does that mean? Chemotherapy clinics, children's beds, complex care beds, diabetes clinics, all of these ones are the ones that are going to be forced to absorb greater cuts. They're going to be at greater risk in terms of reduced services to communities.

I can tell you that in a city like Hamilton, yes, we have a number of hospitals. They're excellent hospitals. But they're hospitals that—I'm not sure; I don't have the figures in front of me, but my understanding was that Hamilton Health Sciences Centre, for example, was facing a \$28-million deficit. In fact, they were coming to the government to beg that they at least get some kind of transitional money, some kind of buffer to prevent them from having to be in the situation they're in this year. If I'm not mistaken, St Joseph's hospital has an \$11-million deficit for this year and, again, was very concerned and was coming to the government with hat in hand, begging for some kind of relief.

Unfortunately, our bully health minister, our health minister who is getting a great deal of pressure and, quite frankly, a significant lack of confidence from the health care sector, and always from hospitals, doctors and other kinds of practitioners—talk to me about physiotherapy, talk to me about chiropractic, talk to me about vision care. All of those medical practitioners are not pleased with this government and not pleased with their lack of commitment in terms of providing a wide range of health care services to people in Ontario.

When we have a motion in front of us like the one that was put earlier, it's quite clear that it's fairly motherhood. It's a fairly fundamental statement about where we think the government needs to be in terms of its commitments to health care across Ontario. It means that nurses will stay in our hospitals and nurses will be providing quality care. It means that hospital beds will be prevented from being closed. In fact, as the health care system is—what



the minister likes to refer to—transitioning to this new model of health care, I don't think anybody has a problem with transitioning to a new model, but the problem occurs when you start to fund for the transition at the end and not during the in-between times, when you assume that your new plan is going to be a wonderful plan and we talk about it in terms of how great it's going to be when it is completely rolled out, not taking into consideration at all what needs to happen during those months and years while you get to Shangri-La. Unfortunately, what this government is saying is, "We're prepared to write off hospitals. We're prepared to write off doctors. We're prepared to write off nurses. We're prepared to write off all these people because they just don't get the vision."

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Well, I would say to you, I think they would get the vision if they had the opportunity to understand how they fit in during those interim years. It's not good enough to just say, "We're going to have this particular model at the end, and in the meanwhile we're going to strangle the life out of you over the next couple of years as we get to our new model." I think if there is one fundamental problem that the minister has and that the government has, it is that they have made the fatal folly that other governments have made when it comes to the renewal of systems; that is, they have not bothered to recognize that existing systems must stay intact and in place and funded at appropriate levels prior to and during the transition taking place. You don't get there from here without making sure that all of your bases are covered along the way.

It seems to me that that has not been done. In fact, that's the message we're hearing from hospital after hospital after hospital. A number of hospitals in a number of communities have come forward with extremely loud alarm bells, and I can tell you that I expect that we're going to see more and more hospitals coming out of the woodwork over the next couple of months.

Why is that? Because up until now, I think they actually thought the government was listening to their concerns. But I think the evidence is becoming clearer and clearer that the minister is not prepared to back down, that he is going to continue on his bullying path no matter what, that there are going to be no holds barred, and that this minister is prepared to drive this agenda regardless of who or what ends up on the sidelines. Unfortunately, what ends up on the sidelines are the people of Ontario, who are now paying more money out of their pocket through premiums. It means that nurses are going to be on the sidelines. It means that doctors are going to be on the sidelines. In fact, you see that when you hear about the deal that is going to go down with the doctors.

You just have to look around and recognize that you cannot drive an agenda in such a negative way and with such negative reaction when you are actually expecting people in the professions such as the ones I've been talking about to come onside with some future vision. The bottom line is, you don't get to the future without

dealing with the present. We're not going to end up with a system that has any credibility at all if we're not positive and sure that we are keeping things moving in a positive direction every step of the way.

Quite frankly, the war with the hospitals over balanced budgets and infrastructure money and the other issues that we continue to bring into this debate is clearly problematic. We've talked about hep C money. We've talked about the OMA's secret deal. We've talked about seniors' drug benefits. We've talked about MRIs and CTs. We've talked about the lack of federal dollars that were supposed to be invested in these kinds of diagnostic tests and are simply not being invested. We have talked about the fact that this government is prepared to go after the wages of the lowest-wage workers in the hospital sector. We talk about the fact that the cutbacks are going to come on the backs of the cleaners, on the backs of the food service workers, on the backs of the people who are the least able to sustain reductions or privatization of their jobs.

So, quite frankly, the system is in a mess, but the attempts to fix it are making it even messier. That's extremely, extremely irresponsible. Simply moving forward with such aggression and with such singlemindedness that everybody else is left on the sidelines is not only inappropriate but it's irresponsible for the minister to do.

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I want to say of this motion that has been brought forward that it's pretty cheeky of the opposition to move this motion, particularly because of their actions over the last eight years that certainly caused thousands of beds to be closed and thousands of nurses to be laid off. One thing you will never see from this government is anyone here referring to nurses as Hula Hoop workers.

I would like to take this opportunity to speak about the transformation that's being undertaken by our government to make health care delivery about the patient. The transformation is about better delivery of health care, an integrated approach to providing service and getting a handle on the best practices and applying it within our health care delivery system. It's about putting in the checks and balances on how money is being spent and measuring results so that we can see we are getting value for the dollars invested, and that the patients are getting the care they need. That's hard work, and that is the hard work that has not been done by those who preceded this government. It is this integrated system that will put our public health care system on a sustainable footing.

Currently we have a system that is fragmented, one that has many silos. Our computer systems, for instance, are not coordinated within the health care delivery agencies, such as between doctors and hospitals, public health, community care or long-term care. We have at best a fragmented system whereby information doesn't follow the patient, and information and best practices are not shared between systems. We have, to date, invested in ensuring we increase the level of full-time nursing to 70% of the workforce. This government is investing in increasing the care providers in our long-term-care facili-



ties, increasing the number of medical student spaces in our universities, removing the onerous processes for our internationally trained physicians and putting into place more multidisciplinary models for primary care.

Add to this the focus that is being put on the prevention side, such as physical activity, establishing again the use of our public schools for community sports and other activities, and removing junk food from our schools so as to give a strong message about nutrition and good eating habits, these and all the determinants of health such as clean air or clean water, as a way to have a healthier population. This in turn is going to ease some of the stress in our health care system.

There is the difficult work to build a culture within our health care system to ensure that we are achieving results and that we can measure those results to see whether all the extra dollars are actually improving patient care overall. That's the basis of this transformation. It's about ensuring the money is being spent where it is needed for the patient.

There's anecdotal evidence that a hospital facility had a 15% increase in their budget, yet they cut their services. We don't know why. We want to put a stop to putting dollars into a system without measuring the results. We are putting into place a fair and better-managed health care system for the patients and the people of Ontario.

The culture of funding that is currently entrenched is one that is not tied to results or better delivery. I hear the opposition suggesting that when hospitals declare a deficit, the government should then write a cheque. That is the culture we want to change. We will be taking a look at the hospitals that have balanced their books, such as Windsor Hôtel-Dieu, Guelph, Cambridge and 47 others. We're going to look for the best practices, where they have found significant savings in non-clinical areas. From this, hospitals providing this approach to balancing their books, the Ministry of Health will embark on a 30-day analysis. This 30-day analysis is going to compare those best practices and assist the hospitals in meeting and achieving the savings, because it isn't just about putting more money into a system; it is getting the results at the end of the day. We need to establish the mechanisms to measure results and to have a patient-centred, integrated system. That is what this government has embarked on, and this is what we will achieve at the end of our mandate.

1700

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm very pleased to join the debate on the motion put forward by my colleague Mr Runciman that the Legislative Assembly call upon the government to guarantee that no nurses will be laid off and no hospital beds will be closed over the course of the mandate of the McGuinty government.

This is a motion that I hope each and every member of this House will support, because this government pledged, when they were running for election, that they were going to increase the number of nurses within the hospital health care sector by 8,000, that they were going

to add beds to the system, and that they were going to provide stable, multi-year funding.

Part of the problem we have today is that this government is demanding that our hospitals balance their budgets without giving the hospitals the information they need as to what level of funding they can expect in the next two to three years. You can't do long-term planning, you can't balance your budget, if you don't have that type of information.

I heard the member from Sarnia-Lambton talk about the fact that they were trying to transform the system. Well, guess what? That's exactly what we did, beginning in 1995. We did a restructuring of the health system. We discovered that there were a lot of people occupying beds in the acute care hospitals who should more appropriately be in the long-term-care system or should be receiving services at home. So what we did is consolidate the number of hospitals in the province of Ontario. We did, instead of creating the additional hospital beds, create 20,000 new long-term-care beds to more appropriately respond to the needs of particularly seniors who simply should not be in an acute-care hospital setting.

We also invested \$1.2 billion. We also had a nursing task force which recommended that we create 12,000 new nursing positions. I'm very glad to say that, despite the misinformation communicated by the government today, we did achieve that objective. We followed through and we invested almost \$400 million in order to respond to the recommendations of the nursing review.

So I can tell you, this government has a long way to go in living up to their obligations. Regrettably, the culture of fear that has been created in this province by the Minister of Health and Long-Term Care is not contributing to allowing us to provide the health care services for the people.

I'm hearing not just from people in the hospitals; I'm hearing from people in communities throughout the province and I'm hearing from people in municipal government. They are very concerned about the cuts to the beds, the cuts to the programs, the cuts to the services, and the cuts to staff. In fact, I heard from one small northern community that tells me that if they are to balance their budget, it's going to mean that there will be staff reductions, and it will cost that community \$2 million. We all know that northern communities today are struggling. The economy is weak. If you remove services and staff from these hospitals, you are destroying those small communities. Furthermore, we hear from mayors such as the mayor in London and in other communities that if they have to cut nurses, they have to cut staff and they have to cut beds, it's going to be difficult to attract new doctors to underserved areas.

What this government is doing is wrong-headed. A year ago, this minister committed to the Ontario Hospital Association that he would work with them in collaboration and co-operation. What did he do shortly thereafter? He introduced Bill 8 without any consultation with our hospitals whatsoever. He shifted the balance of power to the Ministry of Health. He took away power



from the locally appointed, elected hospital boards and began the war—the war.

It is most regrettable. I can tell you that what we have in the province today is not a culture of co-operation, as this minister continues to say day after day; it is a culture of fear.

I heard from somebody today who said, “Elizabeth, I want to tell you this, but please don’t publicly let anybody know what community you heard this from. We don’t want this minister to penalize us; we’re going to get this service or we have this capital project.”

I have never seen this type of intimidation since I came here in 1990. So I hope that the members of the government will listen to what they’ve heard from their hospital boards and the municipal members of their community; I hope they will listen to the people who are going to be impacted by the program and the service cuts, the people who are paying more and getting less; and I hope they will stand up for people in their community, support our motion and guarantee that not one nurse will be laid off and no hospital bed will be closed.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I’m pleased to stand in my place and contribute to this debate.

People often ask, “What’s wrong with Canada’s health care system, Ted, and how should we go about fixing the problems?” I want to suggest right off the bat that we’re not going to do that by micromanaging hospitals and, in the process, perhaps, precluding other necessary changes they may want to make. We’re also not going to get there by defining beds in the system as just hospital beds. I think that’s nonsense. It may be the perspective of some persons, but it’s certainly not my perspective.

Some history is appropriate. Up until 1960, Canadians and Americans had similar systems and similar health. Now Canada spends much less per capita and usually gets much more. Our life expectancy is two and a half years longer, and our infant mortality rate is 34% lower. Medicare is a huge boost in competitive advantage to business.

The historic struggle for medicare is reflected even today in the various views that people have of medicare. I want to outline some of those views—four, to be specific.

The first is what I call the *Globe and Mail* view of medicare. It goes something like this: “We established medicare when we were young, healthy and altruistic. The economy was growing rapidly, and it worked pretty well. Now we are old and sick, the economy is stagnant and medicare doesn’t work very well. Waiting lists go from the North Pole to the US border, health care costs are going through the roof and the public sector is too inefficient to make it work. So we now have to be cruel to be kind. We should allow some privatization of finance and profitization of delivery to save medicare.”

Then there’s the *Toronto Star* view of medicare: “At the beginning, the federal government paid half the bills and everything worked pretty well. Then the federal government gave up 50-50 cost-sharing in 1977 and hacked funding until 1997. Medicare was starved. This led to

service erosion, privatization of finance and increased use of for-profit delivery. Now we need much more federal and provincial money and more federal enforcement of the Canada Health Act to save medicare.”

Then there’s the *National Post* view of medicare: “Medicare was always a bad idea. Health care costs are out of control. But a government-run health system is like the Beverly Hillbillies trying to run IBM. Despite the huge cost, services are terrible. We should do what we should always have done: We should privatize and profitize as much of the system as soon as possible. And, if we’re lucky, maybe some rich American will buy it.”

**1710**

The simple truth is that while many attribute the quality problems to a lack of money, evidence and analysis have convincingly refuted this claim time and time again. In health care, good quality often costs considerably less than poor quality. The whole debate about vulnerable seniors in hospitals, long-term care and home care is a good example of that.

Where, then, should we be going? I want to suggest that there’s a fourth way, which is the way this government is heading. Medicare was and is the right road to take. The real problem with medicare is that it was designed for another time. Costs, while problematic, are not out of control, but neither is the system drastically underfunded. In fact, as a percentage per capita against the GNP, it has actually gone up. We can, should be and are indeed working at fixing medicare’s problems, but to do so, we have to approach it as a good friend of mine once suggested: We need to change the way we deliver services.

Here’s what he said: “Removing the financial barriers between the provider of health care and the recipient is a minor matter, a matter of law, a matter of taxation. The real problem is, how do we reorganize the health delivery system? We have a health delivery system that is lamentably out of date.”

His name is Tommy Douglas—a good friend of mine. Tommy goes on to say, “I have a good doctor and we’re good friends. And we both laugh when we look at the system. He sends me off to see somebody to get some tests at the other end of town. I go over there and then come back, and they send the reports to him and he looks at them and sends me off some place else for some tests and they come back. Then he says that I had better see a specialist. And before I’m finished I’ve spent, within a month, six days going to six different people and another six days going to have six different kinds of tests, all of which I could have had in a single clinic.”

He then says, quite eloquently, on the private-public issue, “Only through the practice of preventive medicine will we keep the costs from becoming so excessive that the public will decide that medicare is not in the best interests of the people of the country.”

I want to conclude by simply saying, as Tommy would say—and I think that if he were here today, he’d be up on his feet speaking against this resolution and in favour of the creative, innovative strategies of community-based,



comprehensive, multidisciplinary health care. He would say to those present, "Courage, my friends. 'Tis not too late to make a better world."

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** It's certainly a pleasure for me to speak to this motion today from the honourable member from Leeds-Grenville, "that the Legislative Assembly call upon the government to guarantee that no nurses will be laid off and no hospital beds will be closed over the course of the mandate of the McGuinty government." October 4, 2007: That should be the end of that. Of course, I want to speak in favour of this motion.

The government of today—the then opposition leader, McGuinty, traversed the province in the previous election campaign promising to open up new hospital beds across the province and to hire 8,000 nurses. Now we're finding that the Minister of Health, who's on a mission of bullying hospitals across the province, is now forcing them into a situation where they're going to have to make choices that include laying off staff in these hospitals and closing beds.

The government's response to this is always the blame game. We always hear, "Well, we're not doing what your government did," and then they start talking about the New Democratic Party's government from 1990 to 1995. I somehow believe that very soon the Minister of Health is going to find a way to blame Leslie Frost for his problems; I feel that's coming very soon.

There's a pile of federal cash, over \$800 million, that has been injected into the provincial treasury to deal with health care. Close to \$2 billion is going to be collected from the health care tax—an unwanted, unwarranted tax on working families across Ontario. Where is this money being spent? They've got \$2.5 billion to \$3 billion worth of cash. They talk about spending \$700 million more on hospitals. So their game is to spend health care dollars, health tax dollars, on sewer pipe and on Expos on recreation, but where is the money that's going into health care? This government is deceiving the people by collecting that tax and not putting it into health care.

We hear the story now of what's going on in London. That's a travesty. I think we need to see, and the people of London need to see, their member standing up and fighting for the London hospitals. Do you remember that old poem, "Pussycat, pussycat, where have you been"? I think they should be saying, "Minister, minister, with cash from the feds, why, he's off to London to shut down their beds." That's what is going on. The minister is holding hospitals by the throat and he is strangling them. That is simply not acceptable.

Some of the hospitals in my riding don't really want to talk about this too much because they're intimidated by the minister. But in one case, the hospital in Deep River got a funding increase of about 1%, yet in Ottawa, the Montfort Hospital gets 15%. Is that equitable? Is that fair to the people in my riding of Renfrew-Nipissing-Pembroke? I don't think so.

Many of these hospitals have already done their work with regard to looking for savings in administration, yet this minister now wants to hold a gun to their heads and

say, "You've got to balance your budgets and you've got to do it now." This is wrong.

It is clear that this government has no direction but to blame previous government. That's the only thing it hangs its whole defence on. Well, it's time to put your shoulder to the harness and start doing the work.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I want to pick up from my colleague from Ancaster-Dundas-Flamborough-Aldershot, talking about Tommy Douglas. Perhaps some members in this Legislature don't know, but I was born in a small town in Saskatchewan called Weyburn, the home of Tommy Douglas. My grandmother was friends with Tommy Douglas. I want to talk about the perspective of health care and medicare, what that means and what our system of improving health care means to me.

My parents and my grandmother taught me that if you care about something, you look after it and you take care of it. That is what our plan is doing. Better health care, ensuring that we have sustainable health care, means modernizing health care. It means encouraging Ontarians to stay healthy. It means improving the determinants of the health system; for example, looking after our air and our water so that our children don't have asthma and so that people don't die from turning on a tap, as they did in Walkerton. It means we need to shift the focus of health care from illness care to health care. That is what our government means by transforming health care.

We started our transformation in the first year of our mandate by improving the capacity of our community and public health systems. We've been supporting our community health centres across this province. I am blessed to have two fantastic community health centres in Etobicoke-Lakeshore: LAMP and Stonegate. Our record investment in the first year of our mandate, of over \$600 million, is going to take significant pressures off the hospitals by providing patient care closer to home, for people in my community of Etobicoke-Lakeshore and right across this province.

We've also reinvested \$103 million in home care, and that will care for 21,000 new clients this year. When I talk to people in my community about what health care means to them, they tell me that it means being able to go to a clinic and have a doctor, having a community health care centre that looks after care in a holistic fashion or being able to get home care at home.

1720

We also have increased \$406 million in long-term care, and that's \$191 million to enhance the quality of care in long-term-care facilities. Those investments, including a first increase in base funding in community mental health in over 12 years of \$65 million, are the types of investments that will transform our health care system. They will take the pressures off hospitals and bring care back into the community, which all of our residents, all of the people who live in our ridings, want to see.

Maybe we don't have understanding across the House as to what these reinvestments will mean, what it means



to develop a sustainable system and transform a system and reinvest in our communities. Reinvesting in our communities, I want to say, does not mean we are not investing in hospitals. We've had a lot of misinformation during this debate about what our government has done with respect to hospitals and I want to take a minute and set the record straight.

Just because we're focused on community health care, an area that has been desperate to see reinvestment in this province over the last decade, doesn't mean we have forgotten that hospitals are important players in the delivery of health care in the system. We've invested an additional \$469.5 million in new funding for hospitals this year. That's a 4.3% increase. I say to my friends across the House that, in total, that's \$11.3 billion on hospitals this year, and that's \$700 million more than you planned to spend in your Magna budget.

Let's get the facts straight and let's talk about what our government is doing on a holistic front to ensure that health care is sustainable in the years to come.

Every single hospital has received an increase. We are making sure that we work closely with hospitals. It's important that the real facts get out there. I have spent a lot of time working with my local hospital, Trillium Health Centre, at the Queensway site that services Etobicoke, which is a hospital that over the years has lived within its means. The discussions I've had with them are that they are pleased other hospitals in the province are going to be held to account, are not going to be forever bailed out by a government that says, "I'll just give you more money, and I won't spend wisely."

Let's get health care back into our communities. Let's recognize the hospitals that are working hard for something we all care about, our health care system, our medicare system. There is nothing more important to Canadians and Ontarians than being proud and saying, "We have a health care system that you can turn to, whether or not you have a big bank account, whether or not you can give your credit card before you need some help." If we want to look after that and protect it, we need to make sure the system is sustainable.

I think my friends across the House are somewhat shocked and dismayed by our new spirit of collaboration and openness, because, to be frank, they don't understand what collaboration and openness is all about, how you work with people to reinvest in a system, how you form partnerships, how you bring the hospitals together with the community health centres, how you bring home care into the fold, and how you work and recognize what it is.

We're talking about a health care system, and that is it exactly: It is a system. It's not a group of entities across a riding that don't speak to each other. It's a system, and if we want to protect it and make sure it's there for future generations, we had better listen to the lessons my grandmother taught me, my grandmother who knew Tommy Douglas, and we had better take care of something we care about.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join the debate this afternoon. Before I begin, I would like to note that the provincial Liberal Party is

holding its policy conference this weekend in the beautiful riding of Parry Sound-Muskoka at Deerpark Resort in Huntsville. I would like to welcome the government members to the riding, although usually when there's a big convention of note like this in the riding, I'm normally invited to go to the opening ceremonies and help welcome people to the area. I haven't received my invitation yet. I hope you enjoy the most beautiful riding in the province and your policy conference this weekend. Hopefully, you'll you come up with some good policies as well.

This afternoon we're talking about an opposition day motion:

"That the Legislative Assembly call upon the government,

"To guarantee that no nurses will be laid off and no hospital beds will be closed over the course of the mandate of the McGuire government."

This should be very easy for the government to support, because when I refer to their election promises, under promise number 133: "We will hire 8,000 more nurses"; promise number 134: "We will help underserved communities attract and retain doctors." They made some very clear promises that over their mandate they were going to hire more nurses and not close beds, but that's not what we see happening.

I've just received information from the Ontario Hospital Association that points out the challenges facing hospitals in the north—80% of the hospitals in the north are predicting a deficit.

I just have a few minutes today, so I'm going to quickly go over a couple of points. In the Sault area—this is from the Sault Star—if the Sault Area Hospital tries to balance its budget as the bully minister is asking it to do, it "will eliminate 75 full-time-equivalent positions, more than half of them in nursing, as part of its requirement to balance next year's budget."

What do we see in the Temiskaming newspaper? "The hospital also proposes to reduce its active in-patient beds from 64 to 58. The proposal will mean the loss of up to 14 full-time and 19 part-time positions across the hospital's operations...."

In the limited time I have, I would like to make the point that in the north, hospitals are smaller, they're more remote and they face more challenges. In my own riding, two of the three hospitals—South Muskoka Memorial Hospital and the Huntsville hospital, Algonquin Health Services—have received only a 1% increase in funding this year. If hospitals across the north do balance their budgets, it will mean cutting core services: unprotected services like emergency rooms, chemotherapy, children's beds and day surgeries.

Today in the Legislature the minister said that the best kind of health care is close to home. Well, as these core services are cut and the small hospitals have to cut back on services, what are they going to do? They're going to refer people further from their local hospitals. This is not what the Minister of Health said today in the Legislature.

I will be interested to see how the government members vote on this motion today. It should be easy for

them. If they are going to keep their promise—and we're trying to assist them in keeping a couple of promises—they should have no problem supporting this resolution so there are no hospital beds closed and no nurses laid off.

**Mr Peter Fonseca (Mississauga East):** It is my pleasure to speak against this resolution. I have to say to the opposition, you should stand in your place and accept your record of shame: closing 28 hospitals, firing 8,000 nurses at a cost of \$400 million to the taxpayer and hundreds of millions of dollars to try to hire them back.

We have to look back at the legacy of the previous government under Mike Harris, the Grim Reaper who came in and slashed and burned everything. It was a government that cut \$557 million out of our health care system. It was a government that, when we came into government, saddled our hospitals with \$721 million worth of unpaid bills.

I have had the great privilege of being one of the parliamentary assistants to George Smitherman, the Minister of Health and Long-Term Care. It has been a privilege to travel with the minister on many of his site visits. The minister has actually visited over 40 hospitals in our great province.

Two of those hospitals are in Mississauga: Trillium Health Centre and the Credit Valley Hospital. I was on both of those visits, and I can tell you that he visited everybody in the hospitals, not just the executives but everybody, all staff, and made sure he had a good understanding of how that hospital worked, what some of the issues and concerns were for the community and that hospital. He's done this at every visit he has gone on.

This minister has immersed himself in what he would not call a health care system, because what has been left to our government is a patchwork quilt across this province that we are mending together to create a health care system, a sustainable one.

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I have to say that the previous government is the worst manager I have ever seen. They have no management skills. All they wanted to do under the leadership of Mike Harris, and then Ernie Eves, was divide and conquer and create more and more silos. Here's the point: When the previous government did not believe in a universal health care system, that ship had nowhere to go. They were allowing that ship to sink, and they wanted a two-tier system.

We have the member from Oak Ridges often talking about two-tier. We have fearmongering going on by the now leader of the opposition, John Tory, who's inflating the numbers in terms of deficits. You know why? The why is because they don't want a universal health care system to survive. They want a two-tier system, or a one-tier system, but that one-tier would be a private system.

Well, we're not going in that direction. We're going in the direction of sustainability, and this minister has taken great strides to transform what has been left behind in terms of the mismanagement from the previous government.

I'm just looking for a quote here from Roy Romanow and what he had to say. Roy Romanow, April 23, 2004: "When I talk about sustainability with Premier McGuinty and Health Minister Smitherman in this province, I hear a strong commitment to the future of publicly supported medicare"—

**Mr Jeff Leal (Peterborough):** Who said that?

**Mr Fonseca:** That's Roy Romanow.

**Mr Leal:** Roy Romanow, former Premier of Saskatchewan.

**Mr Fonseca:** Correct. Former Premier of Saskatchewan.

—"and a resolve to spending resources designed to leverage the changes necessary, rather than spending on the status quo.

"Ontario's Bill 8 has some very important features that reinforce what we had in mind regarding accountability. It seems to me that Ontario wants to do the 'real work' required to ensure medicare's sustainability." That's how we've rolled up our sleeves to make this happen.

You know what? You'll hear the opposition talking about hospitals, talking about community care access centres, talking about home care, talking about executives. Here's what we're talking about: 12 million Ontarians who are patients and rely on a sustainable health care system, which we are creating. That sustainable health care system will have accountability measures built in.

I'll tell you, when we went on some of those site visits, we visited Trillium hospital. Trillium hospital has always been on budget. What's happened in the past with the previous government is that when somebody's been on budget, they haven't been rewarded for being on budget. They rewarded those who were not on budget. This minister has said that we should reward and celebrate those who are doing a terrific job, learn from them and make sure that those best practices they are bringing into the workplace, into our health care system, are delivered across the province.

I'm very happy the minister is bringing forth the LHINs, the local health integration networks. To build management, those networks will bring everybody to the table—the community care access centre, the district health council, the local hospitals—making sure that they're all talking together and that we can best use those precious health care dollars that we have. We had the previous—

**Mr Ted Chudleigh (Halton):** Been there, done that.

**Mr Fonseca:** Well, you might have been there, but you didn't do that, is what I can tell you. Your previous health minister, the member for Kitchener-Waterloo, was talking here. This goes back to the Sun. The Sun asked the previous member, Mrs Witmer from Kitchener-Waterloo, about their health care system, and here's what she had to say: "We didn't have any long-term-care beds in the province. We put in a bunch more for seniors." "It seems like you didn't really take care of the hospitals very well, Ms Witmer." She says, "Well, that's right; we haven't taken care of the hospitals." The previous gov-



ernment really did not take care of a problem that we are now managing, and we are managing it in the correct fashion. We're managing it through best practices. We are allowing hospitals to do what they do best: take care of cardiac care, cancer care, hip and knee replacements, and cataracts.

We want to make sure that those precious health care dollars that we have in this province—we have increased funding by well over a couple of billion dollars into health care. Across the province, for a hospital in Ottawa, North Bay, Mississauga or London, if the best practice is that they are paying 10 cents for a band-aid in Ottawa and someone else is paying 15 cents, we want to make sure that everybody in the province gets the 10-cent price point.

In terms of procurement, what we are doing is making sure that we have a sustainable, integrated health care system that's going to be around for generations to come. We want to make sure that our seniors are taken care of and that our kids and our youth are taken care of. It is a pleasure to be part of a government that has taken a leadership role to make sure—

**Mr Leal:** Visionary.

**Mr Fonseca:** —a visionary role to make sure that the cornerstone of our Canadianness, of our Ontarian values, is being upheld.

**Mr John O'Toole (Durham):** I certainly want to be on the record on the official opposition day on health care and just relate it to my riding of Durham in the very limited time I have.

I have been in touch with the board as well as many staff. I just want to pay them my respects for the hard work they do, but also to respect that they feel somewhat—I won't use the word "intimidated"; I would prefer to say that they feel anxious about the plight of themselves, the patients and in fact the community they work in. But more importantly, the people I work with—like Lorraine Sunstrum-Mann, who's a program leader of the maternal child program at Lakeridge Health; Christena Selby, the site coordinator at Bowmanville; Marion Tink, and a number of others.

Today there was a press release from Lakeridge Health dealing with the obstetrics program at the Port Perry hospital. I have had regular contact with the hospital because the program, with the volume of births across the area, doesn't meet some of the thresholds by the new benchmark accountability mechanisms from Minister Smitherman. What that does to the health care providers in the community is threaten the continuity of programs that are offered in a teaching site like Port Perry, where they do what I'd call rural health programs with the University of Toronto. The obstetrics program is an extremely important part of that and it is also a very important part of the community itself. I just want to be on the record as saying that not just the provision of services but those providing services, for instance, in the kitchen or cafeteria are also very concerned.

I've got a number of people—in fact I've got letters here, but out of respect for my constituents I won't put

their names on the record. They're telling me they're being told that there's really no option, that their future is in jeopardy, which means their home and their family. That decision the minister is making has put our communities at risk of lack of service and lack of professional people, and that's simply not fair. They ran on a program of improved access and shorter waiting times. None of that is happening. What they're doing is threatening the people in my community, and I'm very, very upset by it.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'm pleased to rise in favour of the motion brought before the House by my colleague Bob Runciman. The government members should be supporting this motion because, after all, they did promise to make health care better. But not only have they hit Ontarians with the extra taxes they said they would devote to health care—whether it's a tax or not, depending on who you are talking to and when the statements are made, it's supposed to generate a lot of money for the government—they have said it would be spent on making health care better in Ontario. If the government is responsible for closing beds and laying off nurses, they're certainly not making health care better.

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We have heard from many hospitals in the area. Ross Memorial Hospital's press release from last week: "You may recall that our 2004-05 operating budget was prepared and submitted to the Ministry of Health with an initial projected deficit of \$3.3 million. Our" Ministry of Health "funding allocation only allowed us to put \$1.2 million toward our operating shortfall. Therefore, a deficit of \$2.1 million remains...."

"We remain hopeful that, based on the options that the ministry presented last week, we'll decide on a course of action that will allow us to mitigate the impact of our recovery plan on existing services," said hospital administrator Tony Vines. "However, we're aware that should this not be possible, we may well face changes in clinical areas," including the closure of many in-patient care beds. That really means closing beds, more patients on stretchers in the hallways of emergency, patients not getting care, not accessing better medical care.

When you say that nurses are going to be laid off, nurses are on the front line. Nurses have given their lives, they have worked hard. Their conditions are not good. They want more full-time positions, which this government promised, and we're waiting for that to be delivered at the Ross Memorial Hospital and in the Haliburton health services. Nurses are the front line. If you cut nurses, your mortality rate goes up. There are studies upon studies that explain that if nurses are cut, patients die. That is the mortality rate.

Closing beds is not the solution. I think the members opposite should know that. We have tried to work locally with the Ministry of Health on a lot of different options, and we're hoping that the government opposite will see fit not to allow us to close the beds and lay off clinical staff.

I expect all members of the government to vote in favour of the motion presented by the member for Leeds-Grenville. I would like to share my remaining time with colleagues who want to speak to this motion.

**Mr Ernie Hardeman (Oxford):** I too rise to speak to the resolution put forward by Mr Runciman. It's quite a simple resolution that the House reaffirm what the Minister of Health has been telling us for weeks: that as he's going through the process of asking hospitals to balance their budgets over an 18-month or two-year period, it must be done based on reducing administration. He has said many times in this House that this will not cause the laying off of nurses or the closing of hospitals or beds. He said many times, "No beds have been closed, no nurses are being laid off." This is just a resolution to reaffirm that, and I am quite confident that, having listened to the comments from the government side, we will not have one dissenting vote on this motion today, because everyone has spoken about the good things that the minister is doing—I don't necessarily agree with that—and the fact that that will not require the laying off of nurses or the closing of hospitals.

Having said that, I do have a problem. At the hospital in my riding, the Alexandria hospital, I spoke with the administrator, and in order to meet the requirements that the minister has put to them to balance their budget, they have to close a third of the beds. Remember, in the past many have spoken about the many changes that have taken place in our health care system in rural Ontario. They have already cut all the administrative functions that they could. If they have to find more savings, there is nowhere to find them but in the front-line services, which is beds and nurses.

I'm very happy that he said this won't happen, and that's why I'm very pleased to stand up and hopefully convince all of the members to vote for that.

One other thing I just wanted to put out, and I know it is against the rules of the House, but I wanted to read a little piece of Hansard: "Now let's talk a little bit about health care. We've heard a number of different comments made about increases, of new dollars going into health care." And I want to tell you that some of the new dollars the minister talks about putting in should come to Woodstock to help build my Woodstock general hospital. "I would urge the members and the Minister of Health to have a look at what he is doing to the St Thomas-Elgin General Hospital. He has forced this hospital to make cuts that are going to hurt the community. Because of the chronic underfunding by this government, this hospital is making some drastic, major, radical reductions in out-patient" rehabilitation care.

That comment was made by the honourable Minister of Agriculture, who represents the St Thomas hospital. At that time, he stood up for his people. He could have made the same comment today about what the government is doing, but I haven't heard from him. I wonder where all the other people who represent that area are. In fact, I have a little thing here that says they are wanted. They want to speak. They want to be heard from.

**The Deputy Speaker:** The member for Oxford knows that he can't hold that up.

**Mr Hardeman:** Thank you very much, Speaker. I will give the rest of my time to my colleague.

**Mr Hudak:** I'm pleased to join in the debate in support of my colleague the Leader of the Opposition. It's Mr Runciman's motion, supported by our party leader, John Tory.

I want to raise the point of the West Lincoln Memorial Hospital and the tremendous work that's been done in fundraising for this hospital in Grimsby. It serves west Niagara, Grimsby and parts further to the west, and has been waiting for over a year for a single word from the Dalton McGuinty government—despite all kinds of campaign promises, not a single word—about moving ahead with a capital project or how much money they will be receiving.

Sudbury and Thunder Bay, two communities in northern Ontario, receive 80% funding—no doubt good news for the people in those communities. We wonder why in west Niagara we're not receiving a similar commitment of 80% funding. I sincerely hope the Liberal government has not set up two classes of hospitals: those they favour and those they do not.

No doubt those in west Lincoln have a strong reputation for being independent-minded, for speaking their minds. I hope they're not being punished for doing so by the bully minister who will tolerate no dissent from his big plan. It's absolutely abhorrent to contemplate, if the allegation is true, that the minister upon visiting the North Bay board said to them, "If you come out publicly in protest, your project gets moved to the bottom of the line." It's unbelievable, for a minister to say such a thing. I hope the media report is wrong, but I have not heard the record corrected.

I say to my colleagues across the way, I look forward to seeing just one of you have the guts, have the courage to stand up and fight for your local hospital instead of standing up and fighting for Dalton McGuinty. It's time for you to make that choice. I want you to think about this, as you dutifully and obediently read your lines from Jim Warren and Don Guy, praising the government. Think about that. These are the same individuals who are creating that list right now of just which 14 of you they can afford to lose in the next election. Think about it. Do you want to defend those individuals or the taxpayers back home in your own communities? Make the right choice.

**The Deputy Speaker:** The time for debate has expired.

Mr Runciman has moved opposition day number 2.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1747 to 1757.*

**The Deputy Speaker:** Order. Mr Runciman has moved opposition day number 2.

All those in favour will please stand.



**Ayes**

Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Chudleigh, Ted  
Flaherty, Jim  
Hardeman, Ernie  
Horwath, Andrea  
Hudak, Tim

Jackson, Cameron  
Klees, Frank  
Kormos, Peter  
Martiniuk, Gerry  
Miller, Norm  
Munro, Julia  
O'Toole, John  
Prue, Michael

Runciman, Robert W.  
Scott, Laurie  
Sterling, Norman W.  
Tascona, Joseph N.  
Witmer, Elizabeth  
Yakabuski, John

Brown, Michael A.  
Bryant, Michael  
Cansfield, Donna H.  
Cordiano, Joseph  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Duncan, Dwight  
Fonseca, Peter  
Jeffrey, Linda  
Kennedy, Gerard

Mauro, Bill  
McMeekin, Ted  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Oraziotti, David  
Parsons, Ernie  
Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra

Ruprecht, Tony  
Sandals, Liz  
Smith, Monique  
Sorbara, Greg  
Van Bommel, Maria  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Deputy Speaker:** All those opposed will please stand.

**Nays**

Arthurs, Wayne  
Bartolucci, Rick  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Broten, Laurel C.

Kular, Kuldip  
Kwinter, Monte  
Leal, Jeff  
Levac, Dave  
Marsales, Judy

Qaadri, Shafiq  
Racco, Mario G.  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 22; the nays are 46.

**The Deputy Speaker:** I declare the motion lost.

It being 6 of the clock, this House is adjourned until 10 of the clock Thursday morning, November 4.

*The House adjourned at 1800.*

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Première session, 38<sup>e</sup> législature

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(Hansard)**

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**Thursday 4 November 2004**

**Jeudi 4 novembre 2004**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 4 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 4 novembre 2004

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### HIGHWAY TRAFFIC AMENDMENT ACT, 2004

#### LOI DE 2004

#### MODIFIANT LE CODE DE LA ROUTE

Mr Milloy moved second reading of the following bill:  
Bill 129, An Act to amend the Highway Traffic Act /  
Projet de loi 129, Loi modifiant le Code de la route.

**The Deputy Speaker (Mr Bruce Crozier):** Pursuant to standing order 96, you have 10 minutes to lead off.

**Mr John Milloy (Kitchener Centre):** It's a pleasure to be here today to speak in favour of my private member's bill, Bill 129, which deals with mandatory helmet-wearing on our public roadways by cyclists, in-line skaters and others. Although this has come to be known as "the helmet bill," I would argue that this bill is just as much about human nature: that inexplicable belief that we all have that somehow we're immortal, that accidents happen to the other guy, that we're all a little too smart, too lucky or too special to have accidents happen to us. I think intellectually we may know that this is not the case, but that, unfortunately, does not prevent us from acting in ways that are inappropriate and ways that put our safety and health at risk. I believe that in certain instances it's the responsibility of the government to fight this human tendency and ask people to take safety precautions.

If passed, Bill 129 would require all Ontario cyclists to wear helmets on public roads. It would also extend this to in-line skaters, skateboarders and other individuals using muscle-propelled vehicles, such as scooters.

Members may be aware that in 1995 a law that had been passed by this Legislature came into effect, making it mandatory for all cyclists in Ontario to wear helmets. The government of the day decided, however, to pass regulations exempting those individuals 18 years of age and over. Bill 129, if passed, removes the government's power to make these exemptions, meaning that the original intention of the bill would come into effect. In short, this bill will fight that unfortunate human weakness that makes us act irresponsibly.

I imagine that every member of this Legislature recognizes the risks associated with these activities. In Ontario,

for example, there are about 1,500 bicycle accidents a year, and about 20% of them result in head injuries. But statistics only tell part of the story. Since becoming interested in this cause, I've heard countless stories, even from members of this Legislature who have been touched by the horror and tragedy of an accident, of the tragic loss of life, of hopes shattered, of countless hours of rehabilitation. In fact, studies show that the cost of treating someone with a head injury over the course of their lifetime can be between \$4 million and \$9 million. I can guarantee you that not a single one of those victims thought that they were going to have an accident when they set out on their bicycle ride or their skateboard or their in-line skates. The real tragedy, of course, is that many of these injuries could have been prevented. Studies show that 85% of head injuries can be prevented by wearing a helmet.

The simple recognition that we can prevent tragedy has led to incredible support for the bill by many groups across this province, many of whom are here today in the gallery. Mr Speaker, with the permission of the House, I'd like to introduce them and perhaps invite them to stand. From the Ontario Brain Injury Association, joining us today to show support for the bill, are Scott Southwell, Patti Lehman and John Dumas. We're also joined by Dr Charles Tator of the ThinkFirst Foundation of Canada, John Prno of the Emergency Medical Services of Waterloo region, as well as two individuals who survived accidents because they were wearing helmets: April Ferguson and John Webster.

I'm also pleased to report support from the Ontario chiefs of police and the Neurologic Rehabilitation Institute of Ontario, to name just a few. I also want to take a moment to pay a tribute to one of my colleagues, who could not be here this morning, the member from Brant, Mr Dave Levac, who shares a similar passion for this cause and was instrumental in the preparation of this bill.

At its core, this bill is about creating a culture of safety, and I think you can draw the analogy to the seat belt legislation, which came into effect in early 1976. Despite my youthful appearance, I actually remember when seat belts became mandatory in this province. I remember the debate, and I remember the discussion and the resistance. I can fondly remember my father, when seeing a police car approaching, putting the shoulder strap of the seat belt over his shoulder so that he wouldn't be pulled over. He wouldn't put on the seat belt, but he'd put the shoulder strap over.

Stories like that seem ridiculous nowadays. At a shopping mall when you move 500 feet from one store to



another, what's the first thing you do when get into your car? You put on the seat belt. We have created a culture which makes seat belts second nature. To a lesser extent, we've had success when it comes to drinking and driving. Once merely the topic of jokes, it is today something which is frowned upon and is socially unacceptable.

When you look, too, at the whole bicycle legislation, as it has affected people under the age of 18, I would argue that we've started to create a culture of safety. One of the most interesting statistics I found in doing research on this bill was a study that was put forward by the Canadian Institute for Health Information. It showed that in Ontario, since the helmet safety legislation had come into effect, head injuries among children, those whom it pertains to, have dropped by 26%.

There are those who say that this bill will interfere with basic human rights and freedoms, and I guess there are a number of arguments to address that. The most obvious one is that we have a public health care system, and the cost of treating someone in that system who's had a preventable accident is something that we should not bear; it's something we should ask people to prevent.

1010

But I think there's a more subtle argument. I don't believe that anyone who has suffered a head injury as a result of a bicycle, rollerblading or skateboarding accident fully realized the risks they were taking. As I meet individuals who have themselves been in accidents, lost family or loved ones or are caring for someone who suffered a profound injury, I know, like all of us, when that victim got on their bike or their rollerblades or their skateboard that morning, they had no idea of the risk they were taking.

In my own hometown of Kitchener-Waterloo, we held an event yesterday at the brain injury association. Patti Lehman, whom I introduced a few moments ago, spoke about her task of trying to find an individual who had survived an accident not wearing a helmet and who could speak out in favour of this bill. She looked and looked and unfortunately could not find one, because the fact is that they usually died.

At the same time, we have heartening stories like that of April Ferguson, who spoke this morning just before this debate started. Five days before her wedding, she was going off on her bicycle to see her wedding photographer, and I think a few minutes into it, she got hit by a car—a tragedy a few days before her marriage, a few days before she was to graduate from her graduate studies, yet the fact that she was wearing a helmet meant that her life was saved.

I can also point to Stuart Connell, a gentleman whom I met yesterday at the event with the brain injury association. Stuart is an avid biker who has been in five accidents. In one of the most serious, he was thrown off his bike right on to his head. He broke his back, suffered severe damage, but the fact that he was wearing a helmet means that he is alive and well and participating fully in our province.

We need to create a culture of safety in our province. This bill is not a panacea, but it's a first step. It's a first

step to creating a situation where no one, regardless of age—let's face it, head injuries and brain injuries don't discriminate on the basis of age—would think of going for a bike ride, going out in-line skating or going out skateboarding without wearing a helmet. If we move forward with this bill, if we make it mandatory to wear helmets on our public roadways, it sends a signal to this province, it sends a signal to young people of this province who have to wear a helmet while their parents don't. It sends a signal that this government, this Legislature is concerned with safety, that it wants to have a society where the tragedies that have befallen us are avoided. We want to make sure that we have this culture of safety. I believe this Legislature has a responsibility to act, and I believe the time is now. I hope I can call on my colleagues here today to support Bill 129.

**The Deputy Speaker:** Further debate?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

I'm pleased to join in the debate with respect to the bill brought forth by the member from Kitchener Centre. Certainly we as a party support any measure that helps protect the safety and well-being of people who use Ontario's roadways for recreational purposes. This is a natural extension of the existing provision under the Highway Traffic Act that requires all bicycle riders to wear helmets: to include rollerbladers, skateboarders and scooters. If people are going to utilize public roadways to ride their skateboards, scooters, rollerblades or bikes, it only makes sense that they are adequately protected.

In Ontario, we have a long-standing position to ensure that basic safety standards are met by people who use our roadways. That is why we require seat belts in cars and why it has been the law for bike riders to wear helmets for more than 10 years.

Many may view the content of this bill as common sense, and I think that's the challenge in terms of dealing with this: How far does the government—especially this government, which likes to intervene in people's lives—go to deal with what people should be doing out of common sense? But if we look at history, often people need a legal reminder to maintain a minimum level of personal safety. Just 20 years ago, it was commonplace to ride a bike without a helmet or drive a car without a seat belt. Times have changed and, frankly, for the better.

But I would caution the member and the government about moving forward with a bill that provides for exemptions from this legislation under any circumstance. I think we're doing the right thing by eliminating the ability to regulate exemptions under the act, but the broad, sweeping exemption provided in this legislation should be revisited. At the end of the day, personal safety crosses all religious and cultural boundaries, and everyone should take strides to ensure they are protecting themselves appropriately when skateboarding, rollerblading or biking on our public roads.

I think the member should take that seriously. I think he has done a lot of good work on this bill in terms of talking to different organizations. I did notice, though, that he had not mentioned the support of the Association

of Municipalities of Ontario. Certainly they have a relationship with the police boards they are involved with and also their own bylaw enforcement agencies, which some municipalities use to maintain the roads.

But I think we have to look at the intent of the bill the member is bringing forth. Who could go against the intent of the bill and what he's trying to accomplish? What's important here is enforcement. Whatever bill you have, if you can't enforce it or you don't have the resources in place to enforce it, it's not going to be good law, because it's not going to protect the people. I think that's something the member is going to have to look at. Sure, there are mechanisms there to enforce it, but you need people out there to do it, and you have to have the resources to do it. So if you're going to tell the municipalities this is another thing they're going to have to do, hopefully they're going to have the money in place and the people in place to be able to do it.

So enforcement is obviously the key to any piece of legislation, especially when you want to regulate how people conduct themselves in public and especially on our roadways. But I think it goes back to the argument in terms of the common sense of individuals. If this is going to be something that is dealt with for public safety per se, common sense would dictate that you're trying to protect everybody in this society and that your exemptions have to be carefully thought through. I think they have to be thought through in terms of balancing what you're trying to accomplish. If the accomplishment, the goal, is to protect the public for their own safety, that has to be balanced, obviously, against their individual rights. I don't know whether you're taking a safe road out or whether this would stand up against the charter in terms of people saying, "Well, you're infringing on my rights."

As a lawyer, I would say it would be a very easy argument to make that the public safety, the public protection, obviously would override any individual rights with respect to what you're trying to accomplish here. I think you probably would share that. But the exemptions you have out there, which are very broad, have to be, I think, revisited. I don't know what you're trying to accomplish in terms of public safety if you provide for exemptions to something that you seem to be suggesting is common sense, that people would wear helmets to try to protect themselves from head injuries in circumstances where they go on the roads, where there is some risk. So I think you have to be responsible in terms of what you're trying to address across the board.

I'm certainly prepared to support this bill at this particular stage of the proceedings. Obviously, if it gets to public hearings, there will be more input from the public in terms of how this should be enforced, and we'll go from there.

**The Deputy Speaker:** The minister and member from—

**Hon Jim Watson (Minister of Consumer and Business Services):** Ottawa West-Nepean.

**The Deputy Speaker:** Ottawa West-Nepean. I don't have to use that very often.

**Hon Mr Watson:** I rise today in support of the honourable member for Kitchener Centre's private member's bill, a bill which, if passed, will save lives in Ontario.

On May 27, 1996, for the first time in my life, I lost a very good friend, Carl Gillis. He was killed while in-line skating. In fact, sadly, Carl was the first in-line skater in Canada to be killed. A few days earlier, Carl, just 26 years old, had gone out for a skate on a beautiful May day in the Dow's Lake area of Ottawa. Regrettably, he was not wearing a helmet and his skates got caught up in some gravel. In a matter of seconds, he hit his head on the pavement, and he was immediately knocked unconscious. I had the sad task of identifying Carl, and it was a moment that I will never forget.

I met Carl when, in his first year, he was a parliamentary page at the House of Commons and attending Carleton University. He was an individual who you knew was going to leave a big impression on everything he was involved with. He was the president of his student council in East Bay, Nova Scotia, vice-president of the Carleton University Students' Association, and eventually became chair of the Canadian Federation of Students. He was a born leader, and his hundreds of friends who knew him knew that if he were alive today, there is no doubt he would probably be well on his way to becoming Premier of his beloved province of Nova Scotia or sitting in the federal cabinet. Yet because of one mistake, we can now only imagine what the future would have held for Carl.

1020

Some 83% of in-line skating accidents treated at hospitals, according to Health Canada, involve individuals who were not wearing appropriate safety equipment. You increase the risk of brain injury by 88% by not wearing a helmet. Since Carl's death, I've kept a file of articles I've come across about cycling and in-line skating accidents. The Globe and Mail, on March 20, 2003, quotes Alison MacPherson, an injury researcher at the Hospital for Sick Kids, as saying, "Our research on children tells us that helmets and helmet laws really work." World champion figure skater Paul Duchesnay nearly died in-line skating in Gatineau Park in June 1996, and he said it was a miracle he wasn't killed, because he wasn't wearing a helmet. In November 1997, in Calgary, a five-year-old in-line skater was saved as a result of wearing a helmet. In August 2003, a cyclist's life was saved when struck by a car on Bronson Avenue in Ottawa. An Ottawa police sergeant, Denis Charbonneau, said, "Helmets do save lives." The examples go on and on.

The previous government made it mandatory for individuals under the age of 18 to wear helmets, and I commend the previous government for this initiative. But let us continue with that logic and that good public policy, because obviously, when one turns 19, the brain and the skull still need protection. It does, as the member for Kitchener Centre pointed out, send a rather mixed message when you see young children out with their



helmets, but cycling with their parents who are not wearing helmets.

Now, what about in-line skating? It's perhaps even more dangerous than cycling, yet the law doesn't apply to these individuals. The most difficult speech that I have ever delivered in my life was the eulogy at Carl Gillis's memorial service. Passing this bill and sending it to committee will allow us to prevent future senseless deaths like Carl's.

I assume that some of the opponents of this proposed bill probably would, in another era, be arguing against seatbelt laws. Yet today no one would argue against the need for seatbelts. One of government's most important responsibilities is to protect its citizens. This is not about becoming a so-called "nanny state," but it is about keeping people safe, secure, and healthy. Helmet laws exist in jurisdictions around the world and in several provinces in Canada, and the simple truth is that they save lives and prevent serious injuries. Medical officers of health like Ottawa's Dr Rob Cushman know the positive impact of a comprehensive helmet law, that it would save lives, prevent serious injuries, and reduce costs on our health care system.

I congratulate the honourable member for Kitchener Centre, who knew Carl Gillis as well, and I would urge members to do the right thing and support this bill.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to be here this morning to take part in the debate on Bill 129 by the member from Kitchener Centre. I'll tell you right up front, I will be supporting this piece of legislation. I believe that it takes it, as he said, another step.

I think in his comments he mentioned some of the things that we've done in our province over the last few decades, and it was reiterated by some of the other speakers as well. The fact of the matter is that we looked at seatbelts originally, when they first started putting them in cars, as something that was an optional type of thing. Of course, now I think most people have adjusted to the use of seatbelts. Cars now come with airbags. I think they're mandatory in vehicles today; I'm quite sure of that. I had a private member's bill that introduced ignition interlock device for impaired drivers. I've had a lot of people from the stakeholders who are against drinking and driving who have, in fact, asked for that type of rule, ignition interlocks, to be completely mandatory in all vehicles.

When you look at things like bicycles or scooters, I can't see a problem with that. I don't think it's going to be a hard sell to the general public in our province. There will always be people who will find some faults with some areas, but we're already seeing it in skiing. I take the two oldest of my three little granddaughters skiing, and they wear ski helmets today. All parents don't wear them, but you know what? I'm seeing more and more parents on the hills with ski helmets, because they don't want to risk any kind of an injury. I see bicyclists etc, out now.

A few weeks ago, I was actually babysitting my three little granddaughters. I had them on the laneway, and

they all had their helmets on. I was going to take them for a ride down the little concession road because it's paved, and I couldn't remember whether or not it was mandatory for the adults to have them on at that time. From that perspective, I think there is already some confusion in that area. So I don't see any problem with this actually becoming law and slowly being implemented.

Enforcement could be a problem, because it will take additional time from police officers etc to enforce this. But all of us are in favour of adding additional police officers to the rolls in our province, and I think that's something I'll look forward to seeing.

One of the things I'd like to bring up this morning—and we're going to go into a House leader's meeting in an hour or so—is the fact that we've had some really good ideas in this Legislature, always on private members' business. If there's any area in democratic renewal that I think we can move forward on, I think we have to do more with our private members' time. A lot of people, like Mr Milloy and Ms Broten, who will be up next, have put a lot of time and effort into their private members' bills. I think in the last session, only Mr Wilkinson's, Mr Parson's and Mr O'Toole's bills passed—but three quick ones, you know?

There's been a lot of work done here. I think if there's any direction the government can go on democratic renewal, it is for this House to accept more of the hard work private members have put into these pieces of legislation. Many of us can go to committee with these bills, or they can be sent to committee, and if there are adjustments and if the stakeholders are more interested, they can add amendments to it. We can work sort of in unison, as opposed to being always opposition versus government, because I think there's been some really good ideas come out of here that could be implemented fairly easily in this House. So I want to put that on the record this morning, because I think both these bills this morning are fairly good bills, and I have no problem implementing them.

I was curious when the minister stood up, though, and made some comments, because I immediately thought of Bring-your-own-wine Watson, and I wondered, if people are going to be riding around on bikes now after they've got their bottle of wine in their hand, they're definitely going to need a helmet, right? Was that the main reason you really brought that up this morning? He's not responding to that, but maybe he can in the end.

By the way, I have to use up the rest of my time, unless Mr Miller gives me a nod that he'd like to say something. Would Mr Miller like to say something later on?

**Mr Norm Miller (Parry Sound-Muskoka):** Sure. Give me a couple of minutes.

**Mr Dunlop:** Mr Miller would like to say something a little bit later on. Mr Wilson, who is our critic in this area, was supposed to be here but he couldn't make it, and that's why that note was just sent in.

I just want to say in conclusion that, overall, I think any time you can save injuries, you save our health care

system. I know we've got a very active brain injury service in Simcoe county. I visit there once or twice a year, and they always take me and introduce me to people who have had different types of brain injuries.

1030

If this bill saves one life or if it saves injuries, then it's well worth the implementation. I think our health care system is approaching \$30 billion this year. The public will probably demand \$32 billion or \$33 billion next year, and it'll continue on in that pattern. It's just growing at an alarming rate. Anything we can do in this House that will save injuries, save lives, save the health care system, is an area that we absolutely have to take a serious look at.

Again, I'll be supporting the bill. I want to make it clear that I think your biggest challenge, to the member from Kitchener Centre, will be the implementation process, working with the police services to see just who will be the enforcement body that will look after that in our communities.

With that, I thank you so much, and Mr Miller will be speaking a little later on and sharing my time.

**Mr Kim Craitor (Niagara Falls):** Let me just first say I'm extremely proud to have the opportunity to speak on the proposed bill by the member from Kitchener Centre. In fact, I think it was a couple of weeks ago that, during a conversation with the member when he mentioned that he was looking forward to bringing this bill, I specifically asked if I could have the opportunity to speak.

I want to share with the House and, I guess, more importantly, with the people across Ontario who are listening to this discussion, that I really like the phrase "a culture of safety," because that's what this bill is all about. You've already heard, and I just want to reiterate, that at the present time there is no legislation that makes it a requirement for inline skaters or skateboarders etc to wear helmets. It's pretty common now that, when you're out and about at a shopping mall or walking around the street, it has almost become normal to see kids on a regular basis floating around the city on their skateboards. I know, myself, as someone who rides a motorcycle, it's normal for me to wear a helmet. There are many days when I'd prefer not to. You kind of say it would be neat to ride around without a helmet on a motorcycle, but you also realize the consequences if you ever considered them.

I think it was in June that I had the opportunity to make a statement in the House, recognizing the fact that June is Brain Injury Awareness Month. I specifically mentioned Brain Injury Awareness Month for a couple reasons. One is because a very close personal friend of mine—and I made reference to her in my statement—Jacqui Graham, suffers from brain injury and has become a spokesperson back in my riding of Niagara Falls.

One of the phrases associated with brain injury is, "Brain injury can hurt forever." It's been said, and I want to reiterate, that brain injury can happen to anyone, whether young or old. The legislation that's being pro-

posed, I think, is appropriate. It recognizes the fact that, specifically, younger kids are much more active. They're using types of equipment to get around—as I said, skateboards, inline skating, things that we hadn't seen when I was growing up. The statistics are starting to show that injuries are occurring from the use of that type of equipment.

Is there a cost to this legislation? Yes, there is a cost, and the cost is a helmet. I looked up some figures. The average cost of a bike helmet is \$32 and the average cost for a skateboarding, rollerblading or inline helmet is about \$60. Is that a lot of money? No, that is not a lot of money, because you're talking about a child's future, their life. One of the speakers mentioned an individual who was killed. That's the investment you're making. You're ensuring that as they're moving around through the community, they're properly and safely equipped with a helmet.

I also heard a bit of concern—and I sat on city council for 13 years—about who's going to enforce this. Is it going to be passed down to the municipalities? Well, it will be. That's the reality. You have to use the local resources. But I think the most important message this bill is sending to the parents—and I'm a parent—is that when you're letting your child go out on to the street and they're skateboarding or in-line skating, they're properly and safely equipped so that if something unfortunate happens, they trip, there's a crack in the sidewalk, or something just happens and they fall, the most important part of their body, their head, is safely protected.

I certainly am going to be supporting this. It's not something that doesn't exist in other jurisdictions. British Columbia and Nova Scotia have initiated this, and it's long overdue here. I want to congratulate the member and some of the previous speakers as well. This is a great opportunity.

Let me just close quickly by saying I did like the comments of the previous member about the private members' time. I've had the pleasure of being here on many occasions, and there have been some wonderful and very non-partisan bills brought forward. I'd like to see more time dedicated, not only to private members' bills, but some emphasis on ensuring that those non-partisan bills have the opportunity to get through the House on a much more regular basis than we've seen in the past.

**Mr Miller:** It's my pleasure to join in the debate on Bill 129, An Act to amend the Highway Traffic Act. This bill amends the Highway Traffic Act to make it an offence for any person to use a skateboard, a scooter, inline skates or roller skates on a highway without wearing a helmet. Of course, anything that can be done to enhance the safety of the people of this province is a good thing, and I will be supporting this bill, although I do have some questions. For example, what about skateboard parks? I opened a new skateboard park in my riding in Gravenhurst, and, frankly, I'm amazed that there aren't more injuries in terms of the number of kids who aren't wearing protective gear at a skateboard park.



I would like to comment that you can't make the people use common sense, you can't regulate common sense. I'm from Parry Sound-Muskoka and in just the last couple of years have been in the big city of Toronto. I'm amazed at the way people bicycle around this city, especially at nighttime. You see them going the wrong way up streets, you see them not wearing helmets, no reflective gear and no lights, and crossing over intersections. I'm sure there are rules about how you're supposed to ride a bike, but people basically ignore them. So you can't regulate common sense.

I was just with the member from Beaches-East York on a committee up north, travelling around in many remote communities, where there are more ATVs than there are cars. I know there are laws that you have to wear a helmet on an ATV. Well, I can tell you, on the whole northern trip—the hundreds and hundreds of ATVs I saw—I didn't see one single helmet. So you can make rules, but it's very difficult to regulate common sense. But, hopefully, this will encourage more people to do the right thing and wear protective gear and helmets, and it will save lives. I will be supporting the member from Kitchener Centre on this private member's bill.

**Mr Michael Prue (Beaches-East York):** I will be supporting this bill. If you will bear with me, this will be one of the most difficult speeches I will ever have to give.

In 1995, we watched as the government introduced legislation to require people to wear helmets when riding a bicycle. We also saw that same year that an exemption was made through the Lieutenant Governor in Council to exempt those who are over 18 years of age. There were many complaints we read about in the paper. There were many people who stood up and talked about their personal freedoms. There were many people who said we shouldn't do this. And in the end, the government, in the wisdom of the day, caved in. The government said they felt that those over 18 should be free to make their own decisions.

Gone were the arguments about the seat belts. We heard that: You have to wear a seat belt; they never made an exemption for those over 18. Gone were the arguments about those who rode motorbikes. You have to wear a helmet, and you've had to do that since the 1960s. The exemption was made for bicycle riders.

1040

Thereafter, in the couple of years that went by, I would often see families with children, a husband, a wife on their bicycles, no helmets, and the kids, of course, all in helmets because that was the law. Canadians are very law-abiding people. You would think that was a strange thing, but the law was the law, and adults thought they were somehow exempt from injury. I thought that was very strange, but it was a fact of life that the law exempted adults.

This all came home to me and to my family in 1998. My brother Derek, on a bicycle, one day fell off, hit his head and died three days later. He was not wearing a helmet. He was a wonderful man, a hard worker. He had

two great kids. There isn't a day goes by that I don't think about him. There isn't a day goes by that I don't see someone on the streets of Toronto, an adult, with no helmet on their head, and I want to get out of my car or off the sidewalk and I want to grab them and I want to shake them. You can't do that. But I want to tell them that this was an absolutely wrong thing, a bad thing to happen. I know my mother cries every day, thinking about him. I wonder about his children, although they've been very successful in university and getting on with their lives, and his widow, whom I call very often, just to see how she's doing.

But it was a sadness that did not have to happen. It did not need to happen. He was one of those statistics of those who are killed. I read the statistics in 2001, and 88% of those people who died did not have a helmet on and succumbed to their injuries. Only 12% were actually wearing a helmet and had a brain injury that resulted in death.

This bill is absolutely right. I, quite frankly, am not going to bear any arguments. I'm not going to hear them, I don't want to hear them, about whether we have enough police to enforce it. We need it to be enforced. We need to do it for rollerbladers, in-line skaters, anybody, any contraption. It needs to happen.

The same year my brother was killed, I was invited, as a councillor of the new megacity of Toronto, to do something I had done many times as a mayor. That is, I was invited by Big Brothers to go out to High Park and to get in the go-cart and do the downhill election race. That's what they called it. That year, we were all there—the councillors, the mayor. I don't think Mel Lastman actually got in the go-cart, but the councillors were there to do what we had done for so many years, which was to support the Big Brothers. We were there to help them earn some money, to get some publicity and have the downhill go-cart race.

When I saw that go-cart that year, I told them that I did not believe that we should be racing any longer without helmets. Nobody had ever worn a helmet before. Not me, not anyone else had ever worn a helmet before. I refused to get in the go-cart until they found me a helmet, and in fact some of my colleagues did exactly the same thing. We had to scrounge around and we had to find kids who had helmets because they had come on their bicycles. We had to borrow helmets and try to find one that was big enough to fit my head—because most of the kids were quite young—before we finally got in the go-cart.

Big Brothers learned very fast, because the next year when I went to the downhill race in High Park, there was a helmet for every single person who raced. They realized that was a dangerous thing to happen. You hit speeds of 39 kilometres an hour by the bottom of the hill, and if you were thrown from the go-cart, if you fell over, if you hit a tree, because there are lots of trees in High Park, then you could suffer injury. They recognized, because of my insistence that one year, that in fact what they were doing was dangerous, and they were putting

people's lives at risk. I don't know if they still have that. I haven't seen it for a couple of years now. But if they do, I will guarantee you that they are wearing helmets today.

I travel around this city a lot. I've lived here all my life, with the exception of one year that I lived in Ottawa. This city is telling people that we need to get out of our cars, that we need people to get on bicycles to travel downtown, and they're right. In East York, every day I travel, I usually come along Cosburn Avenue. Three weeks ago, the city of Toronto designated Cosburn Avenue as a bicycle lane route, and there are now bicycle lanes on both sides of the street.

If we are going to do this, and I believe we should, then we need to make sure that those people who travel along the routes in this city, and in fact in any city and in any town, are wearing helmets. There are simply too many cars. There are simply too many diversions. There are simply too many drivers trying to go too fast. And I see them, to my horror, not wearing helmets.

When I stopped at the corner of Bay and Wellesley for the light this morning, I saw two cyclists, one coming each way. Both were women. One was wearing a helmet, one was not. There it was: 50% exactly—at that corner, anyway—were not wearing a helmet. Think about the amount of traffic at the corner of Wellesley and Bay. You will know that there are thousands of cars that go through that intersection. There are hundreds or thousands of pedestrians who are crossing. There are literally hundreds of cyclists who cross that intersection every single hour. Of the two of them, one was not wearing a helmet. That is not acceptable to me. It is far too easy to fall off a bicycle.

We need to enforce the laws. We need to ensure that police officers are there and that they don't take this as a minor crime. This is not a minor crime. It is not a matter of individual choice. It affects all of us, and I for one think this bill should pass. I know it has to go to committee, but I hope it comes back very quickly.

I remember my brother. My family remembers my brother. If this bill passes, none of your families will have the sadness that I experience even to this day. Thank you very much.

**Mrs Carol Mitchell (Huron-Bruce):** I rise in this House to support Bill 129 to amend the Highway Traffic Act. One of the things that I want to talk about is Rolling with Risk, research that was done in London, Ontario. This research was done in skateboard parks, but I feel that it's quite relevant to this bill. Within the city of London, 534 boys were observed in the city's five skateboard parks, and 88% of the boys wore no equipment. There were 38 girls among the boys at the skateboard parks, and 76% of the girls wore no equipment.

The members who have spoken previously have certainly very eloquently pressed forward the concerns and how the behaviour can be changed through legislation as well. But I felt what needed to be brought forward was to understand the balance between, as the previous member stated, a nanny state and common sense. This bill speaks specifically to amendment on our public roadways, and that is the balance.

But I want to take the opportunity to speak about a part of the bill that has not had a lot of discussion. That portion of the bill is the amendment to the Highway Traffic Act that will extend the prohibition against towing a person while wearing roller skates, in-line skates or skis, and this will be a prohibition on all public roadways. I can tell you that around our neighbourhood we have many children, and constantly you see them hooking on to a car with either a rope or their hand. The speed that they can start to increase to is just incredible. I cannot think of a more dangerous way. I know part of the thinking that goes into a lot of these sports is the risk factor, which is important, but for the public safety and the safety of our children, to me, one of the most important facets of the bill is to impose a prohibition on it. This is common sense, and the other portions of the act are as well.

1050

As I have said previously, I could not add any more words than the members have added to the stories you have heard today. I can only say that the courage it took to stand up and speak about such close family members and friends is very moving.

This bill needs all of our support and the support of the municipalities to move it forward. It strikes a balance between common sense and the nanny state. It's my pleasure to support this bill.

**Mr Gilles Bisson (Timmins-James Bay):** Every now and then, we have an opportunity in this House to do something that is both necessary and personal. I think Mr Prue, in his testimony and in the debate, demonstrated to all the members assembled here this morning the need to pass such a bill. I guess that's one of the great ironies of this place, that every now and then we have an opportunity to come back and do something to try to create a remedy for what has been a pretty tragic happening in our lives.

I just want to say to Mr Prue, our hearts go out to you. I've known about this issue. We've talked about this a number of times together and I know Michael dearly misses his brother. This is an opportunity for us here in this Legislature, for his brother and everybody else's brothers, sisters, sons, daughters etc, hopefully to be able to make them safe in the future. So I just wanted, for the record, to commend Mr Prue for his words, because I know that is not an easy thing to do when you bring that on a personal level.

I also want to put these comments on the record. I think, at this point, the way the debate is going, this bill will pass, and that's a good thing. I just want to remind members and anybody who is watching the debate this morning that we've been down this road before on a whole bunch of occasions. I was a motorcyclist when I was a lot younger, and still am today, and I remember the debate in this province back in the early 1970s, I guess, when we introduced legislation to wear helmets when riding motorcycles. I was one of those young, macho guys who thought, "Boy, that's a really sissy thing to do, run around on my hog with my motorcycle helmet." I



thought to myself, "My God, what's the world coming to?"

It's funny how things go, because eventually we start realizing that that indeed was the right thing for the government of the day to do. How many people are still with us today or how many people have prevented serious injury as a result of the government of the day and the legislators of that day passing that legislation? Now we're at the point—I can speak personally. When I jump on my bike, I feel absolutely wrong and bare-naked not having a helmet on. I just would not do it. I wouldn't even think of it. I won't get on my bike and ride out of my driveway at the lake without a motorcycle helmet. It just doesn't make any sense; the same with snow machines and ATVs. So to those people in the public who say, "Well, it's going to be a real pain, a real downer, to have to wear a bicycle helmet to ride your bike once you're past 18," I just say, let's reflect back on what we saw in the debates we had around motorcycles.

I'll bring you to another debate that a lot of us maybe have forgotten about, the seatbelt debate—again, the same thing. We are all old enough to remember when this province passed legislation that we all buckle up. Again, there was a big cry of opposition in the province: "Who is the government to tell me to put on my seat belt?" I remember the debate in our community, and I'm sure it was the same in every other riding. People said, "No, I'm not going to do that. That's not a good thing, and I'm opposed for all the following reasons." Again, how many people are still with us today and how many people have been saved serious injury as a result of buckling up?

I'm one of those. I remember one particular day when I was making the transition, because I drove for about a year or two not buckling up. I was one of those head-strong people of the day. I remember one day I went to pick up my sister-in-law Gail Beauchamps. She was in real estate at the time and I was bringing her out to a showing. Her husband had taken her car and she had called for a ride. So I gave her a call and said, "OK. I'll pick you up." I got to her place and told her, "Buckle up." She went, "What do you mean, 'buckle up'?" I said, "Gail, for God's sake, buckle up." She said, "You never put your seat belt on." I said, "You're not leaving unless you buckle up." I don't know why I got into this argument with her. It was just something to do. I'm one of these guys who likes a good argument. That's why I ran for Parliament; eventually, I can find all the arguments I want here and all the people to argue with. But we got into this argument—funny thing—and finally we both put our belts on.

We go down the highway and I'm doing 55 miles an hour down the Airport Road. Another car comes whipping around the corner—black ice—and that one's doing 55, 60 miles an hour. The oncoming car loses control and smacks into me head-on. Now, I don't know, maybe I would have survived, maybe Gail would have survived. Who knows? Maybe the other person would have survived if they didn't wear belts, but I very much doubt it. There was nothing left of the Toyota. The whole car, the

one that hit me, was gone, except for where the driver sat. I was driving a great big station wagon and I hit this small Toyota or Datsun or whatever it was, and the driver was able to walk away from it, and so were both of us in our car.

I say you can try and debate on the other side of this stuff as much as you want, but at the end of the day it only makes sense. I commend the member for bringing this bill forward. Why, as Michael Prue said earlier, we didn't deal with this when we initially brought the legislation in—originally it was Elizabeth Witmer's private member's bill that was brought into this House, back before 1995, which all members in this House supported and passed into law, and eventually the Conservatives brought in a bill. But we never dealt with the after-18 issue. I want to commend the member for bringing that forward, because, God only knows, sometimes we have to protect ourselves from ourselves, and this is maybe one of the ways we can do that.

Again, my condolences to Michael and his family for the loss of his brother. That's a tragic thing to go through. I hope I never have to experience something like that. I just don't know how people deal with those type of tragedies. To Michael, my heart goes out to you.

**Mr John Wilkinson (Perth-Middlesex):** I too rise in support of my friend and colleague the member for Kitchener Centre and this bill.

This place is about the public good and the law. This is where the public good and the law come together. The law says if you're an adult, you don't have to wear a helmet, but just because you're an adult, you are not exempt from the laws of physics. A bicycle accident or an inline skating accident is the equivalent of jumping out of a one-storey building head first. The laws of physics say that you will be injured. Our society says that we will care for you. Our society says that we will pick up that cost. It is not in the public good for the individual or for our society to have needless injury when it can be prevented.

Over the years, we, as a society, through this place, have come to the point where it is important for us to stand up for the public good. This is the only place. In the debate we've had this morning, the member from Beaches-East York, the member from Ottawa West-Nepean and the member from Niagara Falls have shared personally the tragedy that has befallen them. I know a similar situation has happened in my riding, and I don't have enough time to share it with you, but this is compelling.

The member from Simcoe North is absolutely right. This is the time for us to rise above partisanship, join together and, for the public good, change the law.

**The Deputy Speaker:** Mr Milloy, you have two minutes to reply.

**Mr Milloy:** I want to begin by thanking all my colleagues who spoke in support of this bill today: the members for Ottawa West-Nepean, Barrie-Simcoe-Bradford, Simcoe North, Niagara Falls, Huron-Bruce, Perth-Middlesex, Beaches-East York, Timmins-James Bay and Parry Sound-Muskoka.

I was heartened by the bipartisan support that's been shown in this Legislature. I think what's perhaps most interesting about the history of this cause is that it does have a bipartisan nature.

*Interjection.*

**Mr Milloy:** Tripartisan. I say bipartisan, meaning all parties.

My understanding is that it was Dianne Cunningham of the Conservative Party who was extremely passionate about this bill and put forward the original private member's bill, which I believe was passed by the New Democratic Party when they were in government and then enacted under the Progressive Conservatives. So I just want to say how heartened I am that individuals have come forward from all three parties to support it.

I also want to thank all the groups and organizations who have expressed their support, the ones who are here today and the ones who have sent letters of support: the Neurologic Rehabilitation Institute of Ontario, the West Park Healthcare Centre of Toronto, and the list goes on.

But most of all, this bill, as I started my speech, is about that weakness we have as human beings that we believe this cannot happen to us. And I want to pay a special tribute to the member from Ottawa West-Nepean and the member from Beaches-East York for having the courage to share the personal tragedy that happened in their life. I think more than any arguments or debates or statistics, comparing what happened to Mr Watson's friend and the horrible tragedy that befell Mr Prue's brother, all you have to do is contrast that with April Ferguson, who's with us today, who, because she was wearing a helmet, has gone on to lead a productive life, is married and has a child.

If we can prevent the tragedies that have happened and make sure that all the stories are like those of April Ferguson, then I think this Legislature has done a great service to the people of Ontario.

1100

#### KIDS FIRST LICENCES ACT, 2004

##### LOI DE 2004

#### SUR LES PLAQUES D'IMMATRICULATION EN FAVEUR DES ENFANTS

Ms Broten moved second reading of the following bill:

Bill 130, An Act to support children's charities in Ontario / Projet de loi 130, Loi visant à aider les oeuvres de bienfaisance pour enfants en Ontario.

**The Deputy Speaker (Mr Bruce Crozier):** Pursuant to standing order 96, the member has up to 10 minutes.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** Every day, hundreds of organizations throughout Ontario dedicate their energies and expertise to improving the lives of children in our province. From Moosonee to Ottawa, from Kenora to Etobicoke, each in their own special way, phenomenal staff and volunteers work hard to ensure that our province's children have a better future and can grow

up to realize their full potential. Their dedication is both admirable and unwavering.

From the front lines to the offices, Ontario's children's charities aim to provide important programs and services to our children. They innovate, they respond, they guide and they dream of a day when perhaps their services will no longer be needed. But until that day comes, they open their doors and provide emotional support for children who have been abused, they provide nutritious food to help start the day, they provide recreational opportunities and essential rehabilitation services, and they provide opportunities for youth to develop their academic studies to their full potential—and so much more.

They are organizations like the Boys and Girls Clubs of Ontario; Variety—The Children's Charity; and Horizons for Youth. They're organizations like the Gatehouse and Equally Healthy Kids, two organizations that are very close to my heart and who I am honoured to have represented in the members' gallery today to represent the great work done by so many in our province.

The Gatehouse Child Abuse Advocacy Centre is represented by Jan Handy, the executive director, and LAMP's Equally Healthy Kids breakfast program is represented by Jasmin Dooh and Trish Plant. I want to take a moment to tell you about those programs.

Equally Healthy Kids breakfast clubs has programs in John English, Second, Seventh and Twentieth Street schools in my riding. Each program feeds 35 to 120 children every day, with a total of 250 to 300 children served breakfast each day. For that, they raise \$45,000 every year.

The Gatehouse, an organization that I know members in this House have heard a lot about, is one that is very close to my heart. It provides a centre for people whose lives have been affected by child abuse to come forward and tell their story in a comfortable setting, but at the same time a state-of-the-art videotape facility is tucked away in a back corner of a house.

Organizations like those mentioned, and so many more, work quietly day in and day out on behalf of all of us to make sure Ontario is a better place to live. For this, they deserve our recognition and thanks. But as we all know, they need more than recognition and thanks to keep the lights on and the telephone ringing. That's why I'm very proud to be speaking to the assembly today about Bill 130, An Act to support children's charities in Ontario.

Bill 130 proposes an optional program allowing Ontarians to make donations to support the work of registered children's charities in Ontario when paying for licences, permits and number plates issued under the Highway Traffic Act. The funds would be collected by the Ministry of Transportation. The funds would then be forwarded to the Minister of Children and Youth Services, who would in turn establish a trust fund and develop and maintain the criteria for the distribution of the collected funds to worthy children's charities across our province.

It is my vision that a volunteer board of directors would be established by the trust, and a trust indenture



and bylaws put in place. The board would establish clear, transparent guidelines for an application process, evaluate proposals and put in place reporting and audit requirements so that we could all be assured that we are getting the most from the dollars delivered.

I know that Ontarians are very generous. In fact, Canadians gave \$5.8 billion to charities in 2003, up from \$4.9 billion in the year 2000. Bill 130 can serve as a catalyst to enable Ontarians to work together to enhance the quality of life for the children in our communities, and to allow children's charities like the Gatehouse and Equally Healthy Kids to enhance and expand services and programs, to develop new partnerships, to increase the number of children reached, to address community needs and to build on their success.

Some might ask, why do we need Bill 130? Certainly Ontarians can seek out a favourite charitable organization and donate. Certainly they can and certainly they do. But according to a recent survey by the Canadian Centre for Philanthropy, there is a clear divide between the resources available to large not-for-profit organizations and smaller organizations which are operated with a high dependence on volunteers as well as gifts and donations. These non-profit and volunteer organizations are the cornerstones of each of our communities across Ontario, enabling our communities to come together and address important needs by finding diverse and innovative solutions.

That is why these worthy organizations deserve the financial support and recognition from a newly created Kids First Trust. That is why it would mean so much.

If enacted, Bill 130 would greatly improve access to donations for registered Ontario children's charities. I want to take a moment to talk about my experience as a fundraiser, as the chair of the board at the Gatehouse. Seeking out those initial funds from a recognized, named foundation provides opportunities for charities to get the needed funds to keep their lights on, expand their programs and continue to do that work. But it also comes with some recognition, recognition from somebody who has looked at the work you are doing, acknowledged it and given you a stamp of approval. I can tell you that in the last number of years, with the unfortunate abuse and fraud in the children's sector in terms of raising money for children's charities, we have seen a need for that stamp of approval and recognition for some of our most worthy children's charities across this province.

I want to talk for a minute about where this idea comes from. In 1994, the state of Indiana's General Assembly established the Indiana Children's Trust Fund, and since that time over \$10 million has been raised and distributed to community programs that promote the health of children and address the prevention of child abuse and neglect. In 2003 alone, over \$2.3 million was raised.

This idea has been championed in Ontario by the Child Abuse Prevention Council Windsor-Essex County. I want to thank Tina Gatt, the coordinator, and Travis Hughes, a volunteer with the organization, for their

commitment to children across Ontario and their tireless efforts to date. I know they said they'd be watching at home in Windsor. I also want to acknowledge my colleague the Honourable Dwight Duncan, the Minister of Energy and the member for Windsor-St Clair, who first brought this innovative idea to the Legislature in Bill 79 in 2003.

I also want to take a moment to acknowledge some other guests that I have in the audience today, students from all the high schools across Etobicoke who are participating in the Lakeshore Scholars Program that we have implemented in Etobicoke-Lakeshore. They are Michele Butcher, Dylan Cohen, Elaina Mastrilli and Margaret O'Keefe. I hope that coming to the Ontario Legislature today for the first time, they will see at first hand the good work that can be done by a member in this province and the debate that can happen when all parties talk about issues that are important to all of us in each of our own communities.

Bill 130 will allow each of us to provide that additional support for worthy organizations in our communities that are doing the good work that we thank them for. Now we will be able to do just a little bit more than thank them.

Non-profit and voluntary organizations which seek to improve the lives of children across Ontario are an expression of our values as a community, as a city and as a province. Supporting and increasing the capacity of these very important community organizations and supporting Bill 130 will, I know, make our province a better, safer, healthier and richer place in years to come. In order to accomplish that end, I very much hope that I will receive support for Bill 130 from across the Legislature. I look forward, as I know all of you do, to a day when the Kids First Trust will be able to help those fledgling and innovative organizations in each of our communities as they do the good work that we would like to be on the front lines doing: the good work of feeding our children for a breakfast morning, the good work of helping those children who have been abused and the good work of so many other organizations across this province that make sure that the next generation's life is just a little bit better, a little bit safer, healthier and richer.

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**The Deputy Speaker:** Further debate?

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate this morning on private members' business to talk about Bill 130, An Act to support children's charities in Ontario, a bill that has been put forward by the member from Etobicoke-Lakeshore. The bill proposes an optional program allowing persons to make donations to support the work of registered children's charities in Ontario when paying fees for licences and permits and number plates issued under the Highway Traffic Act. Donors may request specially designed number plates in recognition of their donations.

I was at a reception last night when the member from Etobicoke-Lakeshore asked me about this bill and gave me a good sales pitch on it. It was obvious in that sales

pitch that this is very much from her heart and means a lot to her. She's had many years' involvement with children's charities and is using her private member's bill to try to assist them. I fully recognize that and I will be supporting this bill.

I do, of course, have some questions, which is fairly normal. I would question the cost of the administration of the program. I gather that, as you buy your licence fee, you would choose to make an optional donation, so it is a means for children's charities to fundraise. I see in the bill that the money goes, I gather, into general funds and then it's forwarded to the Ministry of Children and Youth Services in a trust fund. I would certainly question that the administration costs don't eat up the cost of the donation. I also note that the Minister of Children and Youth Services may distribute funds from the trust fund to children's charities, so I would also worry a little bit about this becoming political when it's a minister who is deciding who gets the money from the trust fund.

I know that children's charities are very near and dear to the member from Etobicoke-Lakeshore, but I wonder, why not all charities? Why not have all charities able to participate in this fund and have it open to all the many good charities out there, not just children's charities?

I note that in my constituency of Parry Sound-Muskoka, many issues have been coming up to do with youth, especially speech and language pathology; the closing of early years' centres, which was an issue this summer; the funding for programs like the YWCA and the Muskoka/Parry Sound Sexual Assault Services program, Girlz Unplugged—which unfortunately the government decided not to fund, but they were luckily able to go to the district of Muskoka to replace that provincial funding—and the prevention of violence against women's programs as well. Unfortunately, I saw on the news this morning that a tragic murder in Huntsville recently occurred, so obviously we need to see funding. That's a role where the government should be playing a direct role, in assisting funding of those worthwhile organizations.

I do have some questions, but I support the principle of this bill, and I know that the member is doing what she can to assist children's charities, and I will be supporting this worthwhile bill.

**Mr Gilles Bisson (Timmins-James Bay):** Thank you for an opportunity to speak to this. I just want to say up front—OK, do we agree that we need to do all we can in order to support children's charities? The answer is yes. Should we allow this bill to go to second reading? Obviously. Let it go to committee and decide what we're going to do with it. But I think there are serious questions that need to be raised around this bill and committee needs to be able to deal with them. I just want to go through some of them.

I think one of the bigger, broader principle issues that we need to think about is, is this yet just a continuation of what we've seen by way of governments across this country, and I would say across North America, to more and more put the onus of supporting organizations in our

community that do good community work on to the backs of people and taking it from the perspective of doing it by way of taxes themselves?

Let me explain. I probably didn't explain that well. I was a bit thrown off as I started that. What we've seen over the last—

*Interjection.*

**Mr Bisson:** I will, because I think it's important for Mr Tascona, because he wants to speak to this.

We have seen across this country, over the last 10 or 15 years, a move on the part of government to take services that used to be provided to people by way of government, either in health services, children's services, mental health, developmentally handicapped etc, and move those services from being supported by way of government, through the taxes that we pay, to relying more on charitable donations on the part of private individuals.

That is a trend that, quite frankly, disturbs me, because what we're seeing more and more today is very valuable services in our communities basically move off of being a service that is there for the common good, that is basically borne by the taxpayer, to being divested off to a stand-alone agency that deals with having to fundraise to be able to provide services.

Let me give you a good example: the deaf and hearing-impaired people in the community of the city of Timmins. We have, for a number of years, been in a situation where originally they had been funded by the province to run an office in Timmins in order to support the very much-needed work they do in and around the community. For whatever reason—it's a bit too long to explain—over a period of time, we saw the government funding for services for the hearing impaired in the community dry up and, as a result, they had to rely entirely on charitable activities within their organization to provide services.

Luckily, we managed to intervene. I've got to say that George Smitherman, the Minister of Health, came through when we asked him to re-fund this service. I want to put on the record that George did an excellent job in hearing the cries of the city and this local member to get that organization funded, and we're now working toward reintroducing it as a core service paid by the Ministry of Health in the city of Timmins.

But I raise this because that's just but one example of what we've seen, where organizations in our community that do very valuable work are having to struggle to stay alive and, in many cases, having to close their doors because they can't survive on charitable donations. There are just too many people, too many organizations in our communities, in some cases small communities, which makes it even more difficult for them to fund themselves.

For example, in Timmins, the AIDS committee has basically closed up shop. They originally got some Trillium funding in order to set up a place they could operate out of in the city of Timmins. They did a lot of good work in our city. Our city, like other cities across the province, has people with AIDS, and we need to allow



those people to come together to deal with what is a very tragic disease and do the kind of advocacy work that needs to be done in our communities, to make sure other people don't become infected with AIDS, and also to let people know that people with AIDS are people like anybody else but they just happen to have a disease. We need to reinforce that message out there.

Unfortunately, at the end of their Trillium funding, they just could not survive on charitable donations and, as a result, had to basically close down their storefront. I think that's tragic, because I think there is a role for government to play in these types of services. We need to do advocacy and prevention in order to make sure people are able to live longer and more healthy lives. What we're finding more and more is that those responsibilities are falling on the backs of individuals who deal with charities.

So when it comes to this particular initiative, I think the member is trying to do something right, which is, how do we find money for children's charities? And I agree with you; we need to do something because, quite frankly, there is not enough being done on the part of federal and provincial governments to be able to support the services that are much needed for children.

I guess I'd ask the question: Doesn't government have a responsibility to a certain extent to make sure that some of those things are done? That's why we pay taxes. The whole principle behind the tax system is, rather than having a user-pay system where people individually have to pay whenever they want a service or have to rely on the good graces of donations of individuals, we basically distribute the cost of the service over a broader number of people and we collect that in taxes in order to provide those services. Then I would just say I would want to see this House and members of this assembly put as much pressure as we can on the Minister of Children and Youth Services to make sure that we give proper supports in our communities, because, God only knows, we need it.

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I represent the riding of Timmins-James Bay, and our riding is not immune to child poverty, by any stretch of the imagination. In some cases, in some of our coastal communities up along James Bay, it is pretty desperate. So I'm not sure what this is going to do to assist those children, but again, I'm going to vote for it because I think it needs to go to committee and we have to have that debate.

Then we get to the practical side of this, away from the need to support children's services. The thing that came to mind for me is, all right, we do this for children's charities. We say that when you go to renew your sticker for your licence, you can get a special licence that says, "I support children's charities," and the money from that is then put into a trust fund to be distributed by the minister by way of application by people who want the money. Well, at some point, every member in this House is going to get called by some charity. I'm going to get a call from the Legion, because the Legion in downtown Timmins is closing down. They've had to sell

their building and they probably need more money. They're going to come to me and say, "Give us an opportunity to put a checkmark on the driver's licence renewal too, so we can show that we support legionnaires." And all of a sudden I'm going to get one from le Centre culturel LaRonde and I'm going to get one from the Dante Club, and I'm going to get one from les Filles d'Isabelle. The list goes on and on and on.

What we could end up with, technically, if we expanded this to its ultimate end, is everybody driving around with a plate where they've got a number and they belong to some charity. If we want to advertise charities on our drivers' licences, I guess that's a fair debate, but I think we need to go to committee to talk about where this is going to go. I think, again, there is a role for government, and secondly, is that a good way to deal with our licensing system? I'd certainly like to hear from the public at committee in regard to that particular issue, and from the people who issue the licences.

The other thing is, when we get into the actual bill itself—and again, I don't disagree with what the member is trying to do. Who's not going to support having more money for children's charities? But here's one of the things: We're going to establish by way of this legislation a trust fund, and the money that is then collected will go into the trust fund and those people who want money are going to make application. Then I guess at the end the minister will decide, or by way of regulation will create a board that's going to decide, who gets the money. So I'm a children's charity in a large urban centre somewhere in Ontario—Ottawa, Toronto, Hamilton, wherever it might be. I make application. You probably have better chances than some charity up in Moosonee or Moose Factory or wherever. Everybody is applying for a very small pot of money, and how equitable is the distribution going to be? Again I want to say to the member, I don't disagree with your idea. I just want to make sure that, if we do this, at the end of the day there is some equitable formula for how the money is going to be distributed, if we ever do pass this into law.

That brings me to the other point, which is, I presume we're going to vote to send this to second reading. I know I'm voting for it. But I'm just saying that once it gets into committee—first of all, is it ever going to be dealt with at committee? I don't know. There are going to be a lot of bills at committee to deal with, and I don't know to what committee this particular bill is going to go. I don't know how far up the order it's going to be. But if it ever gets dealt with and brought back into this House—I kind of doubt this thing will ever get back into the House.

So I just say to the member, as a friendly suggestion, that when you do get it into committee, we need to think about how we establish a mechanism where people can do an automatic check-off to be able to give to the charity of their choice. That's a fair debate. But maybe we need to broaden that so people can decide if they want to donate, when they go to the licence bureau, to the Legion or to les Chevaliers de Colomb or to the children's char-



ity, that people be given that option, and that gets really complicated. So I'm just raising it as debate. It's a fairly difficult thing to deal with, and I'm not quite sure that's the best way of being able to get money for charities. I would support that we in this House attribute by way of the budget an adequate amount of money to the Ministry of Children and Youth Services to make sure that children's services in this province are properly funded. At least when we do that by way of ministry, there is a mechanism to make sure that we give services that are somewhat standard for all children across the province. I'm not so sure that at the end of the day this particular initiative is going to meet that test.

I want to make just one other point, and I think my good friend Mr Prue would probably like to speak.

*Interjection.*

**Mr Bisson:** Good. I'm glad he does. I'm not going to make another point, because I'm going to leave him the full four and a half minutes.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'm pleased to rise in the House today to express my support for the Kids First Licences Act, 2004, which was introduced by the member from Etobicoke-Lakeshore, Ms Laurel Broten, on October 20, 2004. Laurel, as many members know, has spent many years as an advocate, fundraiser and volunteer for various children's charities. I applaud her efforts there, and I support her initiative here today.

The bill also has a special significance for me as I had the privilege to first introduce the Kids First Licences Act on June 4, 2003. The idea was actually not mine; the idea was brought to me by two constituents who were very involved in local children's charities. They came forward with this idea based on research they had done in the United States and had identified this program. I want to take a moment to thank Travis Hughes and Tina Gatt—Tina is the coordinator of the Child Abuse Prevention Council Windsor-Essex County—for bringing this idea to the Legislature for consideration, and of course to Laurel for again bringing the matter up today.

The optional program will allow Ontarians to make a donation when paying fees for licences, permits and number plates issued under the Highway Traffic Act. Donors may request specifically designated number plates in recognition of their donations. Perhaps, Mr Speaker, with the consent of the House, I can hold up the sample licence plate and what it might look like should this bill be passed into law. That was done by the Child Abuse Prevention Council Windsor-Essex County.

If the bill passes, the Minister of Children and Youth Services will be responsible for establishing this trust fund into which donations will be made, and developing and maintaining criteria for the distribution of funds to the registered children's charity.

When the program began in Indiana in January 1995, \$25 from specialty plate sales went to the Indiana Children's Trust Fund, the title of which has recently been changed to the Kids First Trust Fund. In that first year in Indiana, the program raised over \$1.9 million.

Children's charities are competing for funds in a very tight market. These organizations are an integral part of our socio-economic network, and we must find innovative ways to support them so they can do their job the best they can. Ontario's children's charities provide an invaluable service. They seek to improve the lives of those most vulnerable in our society.

According to Indiana figures for 2003, the Kids First Trust Fund assisted 86 agencies throughout the state with over \$2.3 million. From 1994 to 2001, over \$14.3 million was raised.

I am pleased to rise in the House today to support the bill as we look at new and innovative ways to support the important work of children's charities in Ontario so they can continue to do the work that is so important to all of us. I think it needs to be said that there has always been a presence of children's charities in this province. This doesn't shift the burden from government to charity; it simply provides another mechanism to various children's charities, particularly, as Ms Broten indicated in her discussion, those charities that are smaller and don't have the ability to raise the bigger sums of money. Indeed, when this idea first surfaced in Indiana and again last year, that was the whole purpose. In my view, it functions not unlike the Trillium Foundation in some sense, but it will be targeted to children's charities.

The member earlier said, "Why just children's charities?" Well, let's start it up and see what happens. These children's charities are in need of help. I think we can all agree that these are worthy causes. All of us, I'm sure, have an identification or affiliation with one or another children's charity in our home riding, whether Timmins, Windsor, Etobicoke or Ottawa—anywhere in the province.

I am pleased to join my colleagues in the House who will be supporting this bill. I look forward to it being moved to a committee, and I look forward to our colleagues in the NDP and Conservative Party allowing bills to get through committee in a timely fashion so we can get bills of this nature to the fore for discussion, so that, as many other private members' bills in the past have, they can see the light of day and become government policy.

My congratulations to Ms Broten. I look forward to the opportunity to vote in favour of this bill approximately 30 minutes hence. Thank you very much.

**1130**

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise today to support the member from Etobicoke-Lakeshore on her Bill 130, the Kids First Licences Act, 2004. I want to say that I've discussed this somewhat with Ms Broten and believe that she's put a lot of thought into this. I think there's some fairly innovating thinking going on here as we proceed toward another private member's bill. I'm just going to reiterate, because the House leader for the government is here, and I mentioned this with the previous private member's bill earlier this morning, that I think we're not taking nearly enough advantage of private members' hours.



I too would like to see a lot more bills go through the House, go through to third reading, and I can think of eight or 10 bills that I've seen, starting, I guess, last spring, proceeding right through to today, that I think merit time in committee. I think they would save the government and the taxpayers a lot of time if we could move some of those bills forward.

If there's anything we can do with democratic renewal, it's private members' time and private members' hours. Maybe we should double the amount of time or something. Mr Wilkinson suggested to me earlier that maybe we could do something along the lines of co-sponsoring a lot more bills so we don't have the partisanship involved in it. I think this is a great way of proceeding, and I will be supporting this.

I can't say enough about the fact that the children are our future. The House leader mentioned previously that you have to start somewhere, and I believe that children's charities would be a good place to start what I consider to be a very innovative way of thinking on raising funds. We have had some negative comments from people who thought that this may be just be another opportunity for the government to do a photo op when they distribute the money. Yes, that would probably be the case, but I think we can live with that.

However, I want to compliment the member, and I don't very often sit here and compliment the Liberals on anything, because my job is to oppose, but I've sat somewhat on the report on the review of emergency management in the province, and Ms Broten, of course, has been the lead on that bill, along with Mike Colle, who's here in the House as well. I know that during the debate on that report, she put a lot of time and effort into that. I don't know if her caucus knows how much time she really put into the bill, but I think it's important that she be thanked for that.

As well, I want to compliment her because we have something in common. I've been a former parliamentary assistant to the Premier, and I always feel sorry for anybody who has that job. I think she's probably doing a great job, in spite of the fact that no matter where you go, if you're a parliamentary assistant to the Premier, you're supposed to answer every question the Premier can answer. If she goes to estimates committee or she's on a talk show, because she has that job, she's expected to know all the answers that the Premier has in his House book, and she probably doesn't have a House book. So it's not an easy task to do that job, and I think when they put her on the lead on the report on the review of emergency management, they picked someone who's very competent.

So I'll be supporting this bill. There's been a lot of debate already, and I think the fact that there's been a case, an example in Indiana, has set a path for Ontario to follow. One of the things that government has done in Ontario—we took the lead on it, and so did the federal government—is the Early Years centres. I hear some people still making negative comments, but I can tell you, in my riding, I have two Early Years centres—one

in Orillia and one in Midland—and I just can't compliment them enough on the work they do. I think they receive \$500,000 a year from the government. There are programs throughout the little rural communities, and I can tell you that that money is well received and well spent by those Early Years centres in our ridings.

I'm going to leave a bit of time for my colleague from Barrie-Simcoe-Bradford. He's of course got some early years centres in his riding. I don't know what his opinion is on this bill. But as we move forward, I want to re-emphasize the fact that I think this is a fairly innovative way of doing this transferring of money.

Second of all, I really hope we can talk a lot more and discuss a lot more in our own caucus meetings and even in this House and in some of our Qs and As and in the debates we have—let's move forward with some democratic renewal in private members' time. There are really some good thoughts coming here. We can't keep burying these great ideas in committee of the whole or in some committee and it will never be brought forward. It is our responsibility as backbenchers and as caucus members and as MPPs to go our caucuses and say that we want to spend more time debating private members' business and we want to spend more time getting this legislation through.

It is something that we owe the public. There is good legislation here, and there is no reason why the public shouldn't deserve some of this legislation to be passed on and not sit on a shelf year after year after year as we proceed through our political careers. Let's support this bill, and let's see if, along with a number of other bills, it can't be moved to actually be implemented here in our province.

With that, Mr Speaker, I'll thank you for this opportunity today. My colleague from Barrie-Simcoe-Bradford will wrap up in a few minutes.

**Mr Michael Prue (Beaches-East York):** I rise to support the bill, but I do have to tell you that there are some very grave concerns that are going to have to be dealt with in committee. Having said I support the bill, I want to deal with what I think the author of bill should be taking forward to committee and some of the pitfalls that I see.

First of all, it is trite to say that government should be funding these organizations. If we cannot fund children's services first and foremost in this province, then I would think that we're probably in worse shape than we all hope. We're hoping that the finance minister will stand up today and tell us the economic future is rosy, and if in fact it is rosy, then we should commit ourselves to making sure that our children are looked after in this province.

The second problem I have with this bill is that it is somewhat cumbersome. The example has been given about the state of Indiana. I did a little research on the computer about the state of Indiana and how their program works. I find that it is bureaucratic, top-heavy and expensive.

The example was given of the Indiana Kids First Trust Fund licence plate. Well, here are the details of what



Indiana does. The total fee is \$40, it is available at all licence branches, and \$25 of the fee is a donation to the Indiana Kids Trust Fund toward programs for the prevention of child abuse and neglect.

That's all well and good, but \$15 is an administrative fee for the state of Indiana. So what you are doing when someone donates \$40 is that 30% of the money given is skimmed off the top and goes to the state of Indiana for general revenues, for the state to issue the licence plates. No charity—I shouldn't say no charity—no reputable charity in this province skims 30% off the top for administrative fees. Certainly that's not the case with the United Way, which is out there collecting money now, and most of the children's charities that I know have about a 10% to 15% administrative fee for the hiring of their staff, the keeping of accountants and those things that are necessary. This is much, much higher than we would allow any charity to do.

The second problem if you look at what is happening in Indiana, which was given as the example, is that it's not just this licence plate. Do you know, because they started with this in 1995, how many licence plates they now issue? They issue 23 separate licence plates for colleges and universities, ranging in fee from \$12 to \$150 to get the licence plate to help your former alma mater. They issue military-related plates for those who are in the military. They issue plates to the American Legion, the Fraternal Order of Police, Freemasons, Indiana Black Expo, the Breast Cancer Awareness Trust, the Food Bank Trust, and the list goes on and on and on.

I am a little bit worried that this very good idea, doing what Indiana set out in the first place to do, will grow in the same way that the Indiana plates have. It is a boon not to the charities, not to the organizations, but in fact to the government, which, in each and every case, charges \$15 administrative fees in order to pass on money which people can pass to all these organizations by simply writing a cheque. If that's what the intent is here, I think we have to have a very close look at not doing what Indiana has done.

1140

The third and last is the minister's role in clarifying—and we need clarity here—who is eligible. As I read the bill, it says that the only eligible groups—"Its primary objective is the improvement of children's lives in the province of Ontario." Many of the institutions are Canada-based. Many of the funds that are collected for children's services are not unique to Ontario. They do give money to Quebec; they may give money in the Maritimes or in western Canada. It is Canada-based. I would not want to deny a Canadian citizen the opportunity to make sure that the money goes to charities which help children all across this country.

**Ms Deborah Matthews (London North Centre):** I am delighted to rise and enthusiastically support my colleague the honourable member for Etobicoke-Lakeshore in her effort to make it easier for people in Ontario to support the kids in Ontario. This is a very good bill and I'm proud to support it. It will mean very simply that

more money will be raised for children's charities. Bill 130, the Kids First Licences Act, will give people in Ontario the chance to celebrate their birthday not just by blowing out an increasing number of candles on their cake and not just by renewing their driver's licence and licence plates, but by giving a gift to the children of Ontario. If this bill becomes law, your birthday will be your chance to provide children with opportunities to learn, to play, to laugh and to be healthy, happy kids.

We need to take better care of our kids in Ontario and we need to better support those charities that make the lives of our kids better. Many kids, indeed all kids, need more than their families are able to give them, and they need more than government is able to give them. That is why we need our communities to provide the support, the encouragement and the opportunities to explore new adventures, to master new challenges and to learn the leadership skills that will serve them well into adulthood. It truly does take a village to raise a child. This bill will give the village more resources so they can serve more kids and provide more intense supports for kids who need them the most.

In my community of London North Centre, I have seen firsthand the magic that can happen when kids get a chance to be kids. I've seen little girls flourish under the mentorship of Big Sisters, thrive when they have someone in their lives who believes in them and who encourages them to be the very best they can be. I have seen the faces of kids light up when they pour off the buses as they arrive at the Boys and Girls Club, where they can play in a safe, positive environment. This bill, if passed, will let more kids have that opportunity.

Tomorrow, I celebrate my birthday.

**Hon Jim Watson (Minister of Consumer and Business Services):** Twenty-nine again.

**Ms Matthews:** Yes, 29 again. Tomorrow, because I am a procrastinator, I will renew my license plates, and tomorrow, thanks to the introduction of this bill and the reminder it has been, I will drop off a donation at my favourite children's charity. But I hope the next time I have to renew my licence, all I will have to do is just tick the box.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate with respect to Bill 130. I've gone over the bill, and certainly the intent, what the member is trying to accomplish here, is in the public's interest in terms of making a donation to support the work of children's charities in Ontario.

What I find interesting, though—and perhaps the member can respond to this. Looking at this legislation the way it's drafted, if you look at subsection 1(2), it says, "The Minister of Transportation may...." There's the word "may," which gives the minister the discretion—"collect amounts donated under subsection (1) and, on collecting an amount, shall ensure that"—which goes to very direct and mandatory language, the word "shall,"—"a receipt for the amount is issued to the donor."

What I don't know is, is it strictly a receipt or is it a taxable receipt that is going to the donor for having given



for an organization? It is an indirect method, because it is going to come through another ministry and it is going to go to a charitable organization, with the primary objective of supporting children's lives. So the section there deals with the Minister of Transportation being given a prerogative to collect the amounts. I would think, if the amounts are donated and the minister is going through with this, that the minister has an obligation under law, once he or she has collected the amounts, to ensure that they go toward the purpose of this legislation.

Then it goes on under subsection 3, "The Minister of Children and Youth Services shall"—that's very strong language. It's mandatory, the minister has to do the following: "(a) establish a trust fund into which shall be paid the amounts donated in accordance with the section; and (b) develop and maintain criteria for the distribution of funds from the trust fund to children's charities." There is no minister's prerogative for the Minister of Children and Youth Services. The minister is required to do what is said in the legislation whereas the Minister of Transportation may collect amounts donated.

Now, we've got a situation where the amounts have already been donated, and they say they may collect. That may be the drafting. Maybe the member has an explanation for that and maybe we can deal with it, but I don't like the way it's drafted and I'm questioning whether the person who is making the donation is going to get a taxable receipt. If they did give directly to the organization, they would get a taxable receipt. So I don't know what's going on here. Is it a taxable receipt or is it not? Let's be fair. If it is going through to a charity, the normal provisions would apply.

I'd like to say, Minister, that children's services are an important issue. I have been dealing with the Minister of Children and Youth Services and also through the Minister of Finance, because he's affected in his riding with respect to a children's treatment centre in my particular riding. We're the only area, Simcoe county and York region, that doesn't have access to a children's treatment centre. Because we're debating improving the lives of children, I think it is important that the Minister of Children and Youth Services start to move on the petition. There are approximately 23,000 children and youth in Simcoe county and York region who have special needs. Approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services. We have right now, through the Simcoe county organization that deals with children with special needs, a location where this facility could be put. It wouldn't have to be constructed at the cost of the one that was constructed in the millions of dollars in North Bay. We have a facility right now. All you have to do is approve that funding and we can improve the lives of children in my areas right now.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I have been thinking a lot about this initiative. Someone raised the question or made the comment that it takes a village to raise a child, and that makes me think, whose responsibility is it to raise the village? I

think the government's got some responsibility there around initiatives. I've been thinking a lot about turtles too. That may sound like a strange thing to say, but Pat Conroy's novel *Beach Music* chronicles the story of baby turtles and their struggle for survival. He doesn't say this, but I concluded from re-reading the book recently that often in life we only move ahead like the turtle, slowly and by sticking our necks out. That's, in part, what the honourable member is doing here.

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Some may say, "This isn't going to eradicate world hunger. This isn't going to stop the nuclear arms race." But it's going to make a significant contribution in a very important area.

We who ponder our activity here from time to time often think about the work we do. I know others think about it. They frequently talk about career politicians and what have you. I was thinking last night that a career perhaps seeks to be successful by making money—we have certain measures about what success is—whereas a calling seeks to be valuable by making a difference. I think the member from Etobicoke-Lakeshore has a calling to this place, and I'm really proud of her in this initiative. She clearly has a passion for the possible. She is taking a few moments on a Thursday morning to declare that passion for the possible and to say that we in this place can do something hopeful. So thank you, madam, for that.

One of the attributes of power is that it gives those who have it, especially on Thursday mornings in this place, the opportunity to articulate values and define certain realities, and with that, I suppose, the power to help others believe in some new definitions. I think that's happening in a very real sense here today as well.

Before coming to this place, I worked as a professional fundraiser, not a very well paid one, by the way, but you don't go into it for the money. It really is a calling. There are a couple of truisms about fundraising, particularly in the charity sector. I note, and I want to footnote this, that the member's bill talks about registered, legitimate charities, not the kinds of charities Minister Watson is talking about in his fraud calendar, where you get ripped off, but about legitimate charities for which an income tax receipt can be given.

But I am wandering. I'm making the mistake of actually talking to the bill. Forgive me for that. I didn't mean to do that.

Back to the task of fundraising, there are two core truths around successful fundraising. First, it's a TSA strategy. First, you have to effectively tell the story. After telling the story you have to do something else that most of us have difficulty with—certainly in the political arena I have a lot of difficulty with it—and that's making the ask, asking for the donation. A lot of people are reluctant to do that.

Some charities need help with their storytelling. Hopefully, by passing this bill there will be an incentive for them to get on with that work. A lot of them have trouble making the ask. I think it's here where we as a govern-



ment have an important role to play, because people want to give. Ms Matthews raised the fact that it's her birthday and she'll be renewing her licence. She could make another important contribution when she does that. It's called organ donation. It's optional, just as this would be optional, and it's very important that we do that. When you renew your vehicle plate or your vehicle licence, you have a vehicle to make an organ donation. We will have a vehicle here to make a donation in a very focused way to a series of charities that can certainly use our help.

I mention that because people do want to give, but they need that vehicle to facilitate that giving. I reference that because some said, "Why not everybody?" Well, sure. I mean, why not have a donation on the licence to eliminate world hunger? Sorry, but I don't want to see excellence become the enemy of the good.

What the honourable member is doing is good, it's right, it's timely and it is a great contribution. The bill is proposing that funds will be collected and put in a trust and that the minister will get advice from a separate board as to where that can best be invested.

We have some evidence that it works. In the state of Indiana it works very, very well. Kids First has helped innumerable young people. There's been a lot of rhetoric lately about, "Leave no child behind." I think this would be a good start.

The interfaith council is here today. Lois Wilson, the former moderator, quoted the prophet Amos about letting justice flow down like a mighty stream. I agree with that, but we'd better have politicians around to make sure we're building the irrigation system.

**The Deputy Speaker:** The member for Etobicoke-Lakeshore has have up to two minutes to reply.

**Ms Broten:** I want to thank the members for Parry Sound-Muskoka, Timmins-James Bay, Windsor-St Clair, Simcoe North, London North Centre, Ancaster-Dundas-Flamborough-Aldershot, Barrie-Simcoe-Bradford and Beaches-East York for speaking to this important bill.

In my vision of the future in Ontario, this bill would build upon the good work our government is doing with respect to children's charities. We have seen direct increases for funding of community health centres—the folks who are here today—increased funding for the Gatehouse from the victims' justice fund and recent increased funding to Variety Village and children's mental health.

But we need to build partnerships in our community, we need to work, both private sector and public sector together, to make sure children's charities, which do have a special place distinct from many other worthy charities across the province—it is not unusual for foundations to direct their funds to children's charities because, as has been said by many members across the Legislature, children are our future.

The good work we can do is to ensure that not-for-profit organizations can spend a little bit less of their time, money and resources trying to raise money, and that generous Ontarians can have a mechanism to donate money and know that someone else is double-checking

the i's and crossing the t's and that their money is being well spent.

I certainly look forward to the debate at committee about what the contents of the bylaws and the contents of a trust indenture would be. I left my law practice about a year ago, and so, in combination, I did not draft a trust indenture, but certainly we would need to do that. I look forward to seeing this go to committee so we can talk about how we, as a Legislature, as people in this province, can work together to make sure we provide more support to the children's charities that are doing incredible work on behalf of each of us every single day in communities across this province.

**The Deputy Speaker:** The time provided for private members' public business has expired.

## HIGHWAY TRAFFIC AMENDMENT ACT, 2004

LOI DE 2004

### MODIFIANT LE CODE DE LA ROUTE

**The Deputy Speaker (Mr Bruce Crozier):** We will deal first with ballot item 37, standing in the name of Mr Milloy. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, this bill is referred to the standing committee—

**Mr John Milloy (Kitchener Centre):** Mr Speaker, could I suggest that it be referred to the social policy committee?

**The Deputy Speaker:** The member has asked that it be referred to the social policy committee. Agreed? Agreed.

## KIDS FIRST LICENCES ACT, 2004

LOI DE 2004

### SUR LES PLAQUES D'IMMATRICULATION EN FAVEUR DES ENFANTS

**The Deputy Speaker (Mr Bruce Crozier):** We will now deal with ballot item 38, standing in the name of Ms Broten. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, it is referred to the committee of the—

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** Could this bill be referred to the standing committee on finance and economic affairs?

**The Deputy Speaker:** The member has asked that it be referred to the standing committee on finance and economic affairs. Agreed? Agreed.

Just before I leave the Chair, I want to say that I listened very carefully to the debate and I think the debate was of very high quality this morning. You're to be complimented on it.

All matters dealing with private members' public business having been dealt with, I do now leave the chair, and the House will resume at 1:30 of the clock.

*The House recessed from 1200 to 1330.*



## MEMBERS' STATEMENTS

WALTER FRANK  
AND HERMAN KASSINGER

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to the late Walter Frank, a true builder of community, a respected business leader as well as a friend. Walter passed away on Saturday, September 4, at the age of 78. The preceding day he had put in his customary day at work at the office. This was typical of the dedication and commitment Walter brought to his clients and to his community.

Walter Frank came to Canada from Holland with his parents at the outbreak of the Second World War. Originally a dairy farmer, he was suddenly stricken with polio in 1953 and had to give up farming. Rising above adversity, Walter went on to work with the Don McQuay Realty in Whitby and would later establish his own firm, Walter Frank Realty. He was subsequently named Oshawa's top realtor and his company had branches from Toronto to Algonquin Park.

He was the beloved husband of Pearl, his wife of 49 years, the cherished father of Allan, Cynthia, Steven and Susan-Jane, and a devoted grandfather to Madelaine. Walter Frank loved life and was proud of his family, his community, his company and the many friends he made throughout his life. Walter will be missed by the entire community.

Unfortunately, just recently also, Mr Herman Kassinger was deceased at the age of 82. He was also a well-respected visionary and community builder, as well as a home builder. He is survived by his wife, Alexandra; his children, Stephen, Gabrielle and Michael; and six grandchildren.

They'll be greatly missed in building our communities in Ontario.

## FINANCEMENT DES HÔPITAUX

**M. Gilles Bisson (Timmins-Baie James):** Je voudrais rapporter à l'Assemblée, parce que je pense que c'est le cas pour tous les députés ici, la même situation : nos hôpitaux ont des problèmes, et ce gouvernement a besoin de répondre aux problèmes qu'ils ont créés dans ces hôpitaux.

Pour mettre ça en perspective, ce qui se passe est que chaque année les hôpitaux dans cette province ont besoin de donner au ministère de la Santé un plan qui leur demande, « Combien d'argent avez-vous dépensé cette année, et si vous en avez dépensé plus, qu'est-ce que vous allez faire pour récupérer ce nouvel argent que vous avez dépensé? »

D'habitude, le gouvernement dit que, par exemple, si on fait un déficit de deux millions de dollars, qu'est-ce que vous allez faire pour être capable de balancer votre budget? L'hôpital dit, « Bon, on peut faire telle et telle affaire pour 250 000 \$ ». Le restant vient du gouvernement pour s'assurer qu'on peut mettre en place les

services nécessaires pour les hôpitaux dans les communautés à travers la province.

Cette année, 80 % des hôpitaux au nord de l'Ontario se trouvent dans une situation où le gouvernement dit, « Vous allez balancer votre budget et vous allez le faire à l'intérieur de votre budget, et on ne va pas vous donner d'autre argent, pas plus que vous avez eu l'année passée. » Ça pose un gros problème. On regarde Hearst, Kapuskasing, Smooth Rock Falls, Timmins, Kirkland Lake, Sudbury et toutes les communautés et c'est la même chose : réductions de services dans des communautés qui n'ont pas la capacité de réduire les services parce qu'elles ne se trouvent pas dans des gros centres métropolitains.

Je peux dire au gouvernement que c'est une promesse brisée que vous allez vous rappeler dans la prochaine élection si vous ne réparez pas le problème tout de suite.

## ALZHEIMER'S DISEASE

**Mrs Donna H. Cansfield (Etobicoke Centre):** Today I rise on behalf of Alzheimer's. Alzheimer's disease is an illness that slowly destroys people's minds, robbing them of their dignity, their independence and their identity. It's a disease that wreaks havoc on the lives of caregivers, spouses who may themselves be old or frail, or baby-boomer children sandwiched between the demands of their own families and the need to care for an elderly patient who may not recognize them any more.

Caring for someone with Alzheimer's disease is one of the most distressing of all caregiving roles, and some have called it a living grief that can last up to 20 years. It's a staggeringly expensive disease, currently estimated at \$5.5 billion per year, which will expand over the years to become the highest economic burden for social and health care costs of all diseases in this country—140,000 people today.

This government is currently engaged in a transition project. However, recently the national advisory committee on aging, in partnership with the Alzheimer Society of Canada, called for a national strategy. I know that Ontarians would want this government to support this recommendation and to play an active role in implementing this national strategy to meet the dementia challenge.

We see today the pain and the hardship that dementia causes for so many individuals and families in Ontario. But we also can see the future, and we know that the pain and the hardship will increase unless today's reality changes. We can effect that change. We can, we must and we will do it. It is the right thing to do.

YORK REGION CELEBRATION  
OF THE ARTS

**Mrs Julia Munro (York North):** In October, I was very proud to attend the fourth annual York Region Celebration of the Arts gala. It's an important local cultural event. The gala honours the recipients of educational bursaries given to promising young artists. It is

sponsored by the York Region Newspaper Group, led by publisher Ian Proudfoot, with support from the region, municipalities and business partners. Thanks go to these supporters, to the members of the arts committee and to the bursary adjudicators.

Bursaries were presented in the dance category to Valentin and Kate, Siobhan Louwman, Joey Arrigo and Sarah Krol; in the musical theatre category to Megan Kingsbury, John-Michael Scapin and Oge Abara; for vocals in pop to Alex Ciccone and Brian Lee; for classical vocals to Sara Papini and Katie Murphy; for instrumental to Rob Christian, Ariel Kwan and Christopher Siu; for instrumental and vocal pop to Cameron Rawlings; and for theatre arts to Leanna Tallmeister.

I want to congratulate all of the recipients, and thanks to all of the supporters of the gala. I might add that these winners ranged in age from nine years and up.

### FITNESS

**Ms Deborah Matthews (London North Centre):** I often hear our Minister of Health, George Smitherman, say, "It's time to take our health back." He's challenging all of us, and I've decided to take him on. I'm proud to say that I've begun a personal workout plan, and I'm challenging other members to do the same.

I sure didn't have far to look for inspiration to get in shape. In London, we have some of the country's best athletes playing for our local teams. The University of Western Ontario's football team and its men's and women's soccer and rugby teams have all earned berths in provincial and national playoff games this weekend. Way to go, 'Stangs. Congratulations to all of these exceptional athletes and their coaches for serving as excellent role models to younger athletes and for providing older would-be athletes like me with inspiration.

Last week, the government launched Active 2010, a program that promotes fitness and motivates people to get active. This government is tough on smoking. We've taken junk food out of the schools, and we are striving to show the benefits of regular exercise. This is only the beginning.

This is a time for leadership. I'm going to play my part, and I'm challenging my colleagues to play their part. Next thing you know, I will be crossing the finish line ahead of the member from Mississauga East.

Speaking of great athletes, did I mention that the London Knights haven't lost a game this year?

### GOVERNMENT CONTRACTS

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I rise today to report to the House about a grave concern I have regarding the behaviour of this government.

We already heard this week about the agriculture minister having a fundraiser sponsored by an anti-farming lobbyist. But that's not the worst sin committed this week.

We have learned how the Grits were sneaking photo radar back into the province. But that's not the worst of the sins committed this week.

The same Liberals who regularly preach from atop their high horses about transparency, openness and a fair tendering process have been looking after their friends again. We've learned that Gordon Ashworth, a man with long ties to the Liberal Party, who was given a \$31,000 untendered contract to work on border security back in January, has now received another contract dealing with the 407. Mr Ashworth has come a long way from paint jobs and refrigerators.

But this tradition within the Liberal Party runs even deeper and truer than their ability to break promises. This is not the first untendered contract this government has given to its friends. We remember well the contract given by Mr Duncan to his friend Peter Donolo.

Since their election, the Liberals have shown that rather than subscribe to new principles, they simply have no principles at all. How many more instances like this can we expect? Like salmon returning to spawn, the Liberals are returning to their old ways.

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### VAUGHAN MILLS

**Mr Mario G. Racco (Thornhill):** Today I had the privilege to attend the opening of the Vaughan Mills centre in my riding of Thornhill. It is an unprecedented mix of retail and entertainment, offering visitors the chance to shop at their favourite stores as well as see a movie and take advantage of the recreational activities it has to offer the community and tourists.

Almost eight million people live within 30 kilometres of Vaughan Mills. That is 60% of the Ontario population and one quarter of Canada's population. Vaughan Mills will be one of Ontario's top tourist destinations, with many activities for both young and old.

I think Vaughan Mills truly shows the confidence that people have in our economy and in our government. I applaud the residents, business leaders and governments who supported this exciting endeavour.

This development is the largest shopping mall in Ontario. It has 1.2 million square feet and will pay \$12.5 million in local taxes every single year. It has over 200 stores and will employ 3,500 people.

Vaughan's growth has been fuelled by various economic factors, including the role of the tourism and service sectors. The city of Vaughan, the town of Markham and the region of York have a lot to offer, and I look forward to seeing Vaughan Mills centre grow and prosper with our community, like this party will prosper within Ontario.

### HOSPITAL SERVICES

**Mr David Zimmer (Willowdale):** I want to recognize two hospitals in my riding of Willowdale, North York General Hospital and St John's Rehabilitation Hospital,



for their commitment to serving the people of Willowdale and North York.

The Ministry of Health and Long-Term Care has implemented a plan to put health care back on a stable footing in Ontario. I'm delighted to report that North York General Hospital and St John's Rehabilitation Hospital have risen to this challenge. They are among the first hospitals in the province to balance their budgets and sign accountability agreements, all the time remaining dedicated to a spirit of excellence and quality health care.

North York General Hospital has one of the shortest waiting lists in the province for cancer surgery and cancer care. In addition to its recognized expertise in pediatric and maternity services, St John's Rehabilitation Hospital also is at the leading edge of quality patient care, forging a soon-to-be-launched transplant rehabilitation program in partnership with the University Health Network, as well as an alliance with Baycrest and Sunnybrook and Women's College hospital to improve neurological care.

These two fine institutions are an inspiration to us all and serve as a shining example of what can be done through professionalism and unwavering commitment to public health.

### LABOUR RELATIONS

**Ms Jennifer F. Mossop (Stoney Creek):** This past summer, the Minister of Labour came to my riding and met with about 20 leaders of unions in the area. They were able to directly express their concerns to the minister and to myself, and now our government is responding directly to those concerns.

Since 1990, Ontario's labour laws have swung unfairly in favour of one side or the other. Yesterday, the Minister of Labour introduced the Labour Relations Statute Law Amendment Act, 2004, which, if passed, will promote the workplace harmony and stability vital to a prosperous, productive economy. This government understands that Ontario's prosperity rests on a balanced approach to labour relations. Our reforms will return us to the labour relations environment that existed in Ontario for 40 years and that made Ontario an attractive place to invest and do business because of its stability. It also made Ontario a desirable place to work, because its laws were fair to workers. The reforms are the result of nearly a year of discussions with business and labour groups.

I would like to cite two examples of how those measures restore balance. They will remove one-sided, provocative laws such as the requirement to post de-certification posters in workplaces, a law that put the supposedly neutral government squarely in the anti-union camp; and this government's proposal will give certainty and stability to the home-building sector by making permanent a bargaining framework that prevents disruption during the peak building season.

This is a bill that everybody can heartily support.

### VISITORS

**The Speaker (Hon Alvin Curling):** We have with us in the Speaker's gallery a delegation from the province of Gansu in the People's Republic of China. Leading the delegation is Mr Xu, executive vice-governor for the Gansu province. Please join me in welcoming them to this province.

Also, we have in the members' west gallery is Gary Guzzo, former member for Ottawa West-Nepean in the 36th and 37th Parliaments. Welcome.

In the members' east gallery is John Cleary, former member for Stormont-Dundas-Charlottenburgh, 34th to 37th Parliaments. Welcome.

**Mr Vic Dhillon (Brampton West-Mississauga):** On a point of order, Mr Speaker: I'd like to introduce two special guests in our visitors' gallery. They are two cabinet ministers from the state of Punjab in India, Mr Harmel Tohra and Manjit Calcutta. They're here with my two good friends Mardam Mangat and Gurcharan Dandiwal.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### ECONOMIC OUTLOOK AND FISCAL REVIEW

#### PERSPECTIVES ÉCONOMIQUES ET REVUE FINANCIÈRE

**Hon Greg Sorbara (Minister of Finance):** I rise today to present the 2004 Ontario Economic Outlook and Fiscal Review, along with the second-quarter financial results.

We've been in office just over a year, and the financial problems we inherited are well known. In May, we delivered our first budget. It laid out a comprehensive plan to encourage economic growth, to restore the province to financial health, to invest in education and to improve health care. Six months later, we remain on track.

Nous sommes toujours sur la bonne voie.

Today, Ontario's economy is creating jobs and it's expanding, but this province can do better and it must do better. For us, that means we're doubling our resolve to get our financial house in order. It means making wise investments. It means facing challenges and choices that are difficult. It means confronting head-on a wide variety of risks, and it means remaining focused and disciplined. That, above all, is what Ontarians expect of their government.

The Ontario economy is performing as we anticipated in the May budget. For that reason, we have not changed our May forecast of 2.3% real GDP growth in 2004. It's a prudent forecast, slightly lower than the consensus among private sector forecasters.

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Looking forward, we see average annual GDP growth in Ontario at 3.2% between 2005 and 2007. Meanwhile, the current consensus for Canadian GDP growth in 2004 has risen to 3%, and that is up from 2.6% at the time of the May budget. If you take out Ontario's number, GDP for the rest of Canada is expected to grow at 3.3% in 2004. In other words, while the Ontario economy is growing, the economies of some other provinces are growing faster.

Now, there are a number of factors at play here, including higher oil prices and a strong Canadian dollar. Our dollar has reached a 12-year high in October, and indeed closed today at over 83 cents US. That's good for consumers who are buying imported goods or who travel south for a winter holiday, but it's tough on exporters. Fortunately, our exporters are adapting. They are reducing the negative effect of a high dollar by boosting productivity, and they are using the stronger dollar to buy imported business machinery and equipment at lower prices. That makes them more competitive globally. As a result, we see Ontario's real exports increasing this year by more than 5%, and that is good news.

There is also, by the way, good news on the inflation front in Ontario. It's expected to remain below 2% this year. And since our budget, short-term interest rates are up by 50 basis points, but we are confident that the Bank of Canada will take into account the potential impact of the Canadian dollar's strength as it decides what to do next with interest rates.

Mr Speaker, the hallmark of a strong economy is job growth, so it's encouraging to us that some 127,000 new full-time jobs have been created in this province so far this year. The province's unemployment rate declined again in September, to 6.5%, and those same wise private-sector forecasters are calling for strong job growth to continue right through the length of our four-year plan. Indeed, they predict an average annual unemployment rate for Ontario of 6.2% by 2007.

With more jobs, home-buying in both the new and existing housing markets has been quite strong, with more than 275,000 homes expected to be sold this year.

The TD Financial Group recently released a report called Ontario: The Land of Opportunity. I say, how apt. Ontario is now doing well. We have turned the corner. But the report said that Ontario could be doing better, a lot better, and we agree with that.

We're already making significant progress in that regard. Indeed, the Premier's recent progress report highlighted the sorts of investments that will help us do better. These investments—each one of them—are balanced and measured. They recognize that a well-educated, highly skilled workforce is essential to a strong economy.

Voilà pourquoi nous attendons avec impatience le rapport de l'ancien premier ministre Bob Rae sur l'éducation postsecondaire pour nous aider à jeter les bases solides d'un système d'éducation supérieure, viable, accessible et de qualité.

Meanwhile, we are expanding and strengthening our apprenticeship program. We are doing it with a proposed new tax credit for employers to hire and train young people to be skilled workers.

Attracting foreign investment is central to our plan. Witness, for example, the Ontario automotive strategy, which the Premier used last week to help spur a \$1-billion investment by Ford of Canada in Oakville. That will ensure more high-skilled, high-paying jobs in Ontario.

Our goal, as you know, Mr Speaker, is to build the most productive workforce in North America, and we're doing it in a number of ways. The Ontario and federal governments will soon announce agreements on labour market services and immigration. These agreements are going to help streamline our training and employment system. They will pave the way for skilled immigrant workers to get the jobs they're trained to do.

Likewise, our plan recognizes the importance of infrastructure renewal. We are overhauling Ontario's electricity sector. Our economy must have a stable and reliable supply of electricity. We are renewing infrastructure in cities and towns across the province with direct spending and with more than \$2 billion in low-cost loans to 170 municipalities through the Ontario Strategic Infrastructure Financing Authority. We're investing two cents per litre of gas tax for municipal transit systems.

With the federal government, we're launching the new Canada-Ontario municipal rural infrastructure fund. It will support a wide variety of projects such as rural roads, bridges, water and waste water treatment systems.

We are investing in Ontario's agricultural sector, including financial help to Ontario's cattle farmers suffering from the BSE fallout. Our northern Ontario prosperity plan includes initiatives such as the northern Ontario grow bonds pilot project and the Go North investor program.

We are investing in roads and working with the federal government to improve border crossings to make the flow of trade easier.

Je voudrais maintenant parler brièvement des affaires intergouvernementales et de la contribution de l'Ontario au maintien du dynamisme du pays; that is, Ontario's contribution to keeping Canada strong.

Each year, Ontario residents and businesses contribute \$23 billion more to the federal government than we receive in federal programs and transfer payments. But seven consecutive federal surpluses tell us that Ottawa is in a position to do more in areas that support economic growth.

The recent national health care agreement, in which the Premier played such a pivotal leadership role, represents an important first step. But more is required and, therefore, we are calling on the federal government to form a critical partnership with us to ensure Ontario remains the economic engine of growth in Canada.

We are determined to stay on track with our four-year plan to eliminate the deficit. That includes eliminating the structural deficit that we inherited from the Con-



servatives. Between 2000-01 and 2003-4, they allowed spending to rise 21% while revenues actually declined by 0.7%. That kind of chronic mismatch of revenues and expenditures is simply not sustainable. The numbers now show we're headed in the right direction, but we're not there yet.

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The first ministers' health agreement will add revenue not forecast in the budget. This money will be used to improve health care across Ontario. The second quarter results reflect these new revenues. So as at September 30, total revenues this year are now projected to be \$79 billion. That's a net increase of \$700 million. Total expenses are now projected at \$80.2 billion, and that's a net increase of \$610 million from the budget. The increase in expenditures is largely due to increased health care spending, some \$824 million. That's equal to Ontario's entitlement under the federal-provincial health agreement. That increase is partially offset by savings of \$215 million on debt interest.

My fiscal update would not be complete without a word about debt. Servicing our provincial debt costs us 13 cents of every dollar we receive. That's more than \$10 billion a year. Think about that number for a moment. That's more than we're providing for social services. That's more than we're spending on justice. And it's almost as much as we're spending on education. Debt charges crowd out funding for services and compromise our priorities.

I want to tell you that our budgetary plan to eliminate the deficit must be achieved within an environment of strong internal and external pressures. Factors such as rising oil prices and the potential slowdown of the US economy are risks that are driven by market forces, and they're beyond our control.

We do, however, have more control over other risks. Pressures in the health care system, for example, have been pushing up costs at a rate of 7% annually. Drug costs have been rising 15% per year. There is pressure for higher wages in the broader public sector. Each 1% increase in compensation for the broader public sector costs more than \$350 million per year. That's why we need to stick to our plan. And my job, as finance minister, is to ensure prudent management by anticipating and managing all of these risks.

In this environment, the need for restraint is clear. That means keeping program spending under control. Recently the Premier asked me to lead an in-depth government modernization project. We are doing a line-by-line review of every program and service. It is that serious, and it's that thorough. Modernizing government is a critical component in improving Ontario's finances. And improving Ontario's finances is a critical component in building a stronger economy.

Je répète: il est essentiel d'améliorer notre situation financière si nous voulons favoriser la vigueur de notre économie.

My first task was to assess my own ministry services and those of other business support areas. We've done that.

Earlier this year, the Ontario and federal governments committed to working together to provide more innovative and collaborative public services to Ontarians. We have now extended that collaboration to corporate tax administration. Ontario and the federal government will begin to work together immediately to design a single federal tax collection system for both Ontario and the federal corporate taxes.

L'Ontario et le gouvernement fédéral travailleront dès maintenant de concert afin de concevoir un régime fédéral unique de perception de l'impôt provincial et fédéral sur les sociétés.

Working together, we aim to reduce red tape and improve services for our businesses, while at the same time protecting Ontario's fiscal and economic interests and meeting our commitments to our employees.

And we will continue to identify other opportunities for federal-provincial streamlining. We've identified potential savings in our IT costs and our internal business transactions, and we're working with hospitals and other broader sector partners to identify and expand best practices in supply chain management. In the coming weeks, I intend to bring to this House an update on our progress as we proceed.

This government has achieved a great deal in its first year. Already, Ontario's economy is stronger. Already, the province's finances are healthier. But our success thus far only serves to reinforce our resolve to stick to our plan for better education, for improved health care, for a stronger economy and for a more modern, more efficient government.

Our goal is a lofty one: to be the North American leaders in the management and delivery of public services. And we embrace that goal, not on our own behalf but on behalf of the 12.5 million of us for whom this grand stretch of land is home.

**Mr Jim Flaherty (Whitby-Ajax):** On a point of order, Mr Speaker: Before I respond, I note that not all members on this side of the House have received copies of the Economic Outlook and Fiscal Review—both the speech and the background documents. I'm sure there's some explanation for that. I see the press has copies but members of this House do not have copies. Can that be corrected by the government?

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. As with any ministerial statement, two copies are required to be delivered to the leaders of the recognized opposition parties. I trust those requirements were met. If not, I would ask the minister to do so.

It's time for responses.

**Mr Flaherty:** I say simply, with respect to the production of the report, it would be a matter of courtesy to provide it to all members of the Legislature, despite the obligation.



The Liberal government has failed to protect the economic interests of our province over the past year, and today they have shown that trend will continue: massive tax increases and uncontrolled spending for over a year now in Ontario.

One has only to look at the series of broken promises made by the Premier and the Minister of Finance over the past year to appreciate where the economy is headed. They have broken their promises to not raise taxes, to balance the budget, to freeze hydro rates, to create jobs, to grow the economy and not to add to the public debt—all Liberal promises, all broken.

The incompetence shown by Dalton McGuinty and the Minister of Finance has eroded public confidence in the future of our economy and has led us down a road of uncertainty and instability. The minister lauds the fact that the GDP has grown, but he fails to explain where the resulting revenue has gone. The Liberals have raised taxes by \$7 billion since they took office one year ago. That represents the largest single tax hike in one year in the history of our province. Where did the money go? Most of that money is being collected through the Liberals' regressive health tax. In exchange for paying \$2.6 billion of their own hard-earned money, the people of Ontario have seen eye exams, physiotherapy and chiropractic services delisted from OHIP and privatized. Hospitals are underfunded, nurses are being laid off, beds are closing, and some hospitals are shutting down entire critical care departments to make ends meet. Thanks to Liberal mismanagement and incompetence, people are paying more and getting less health care service in Ontario.

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At a time when Ontarians are crying out for economic stability, the Liberals are committed to running deficits over the next four years and will add more than \$10 billion to the provincial debt. They are driving new construction out of the province. The Royal Bank estimates that housing starts will decline by 2.7% this year and another 12% in 2005. Young families have already had the Ontario home ownership savings plan cancelled and fear that interest rates will skyrocket to a point where they can no longer afford their homes. A recent Ipsos-Reid survey shows that despite historically low interest rates, 62% of Ontarians are opting for higher fixed-rate mortgages because they fear exponentially increasing interest rates as a result of this government's fiscal policies.

Despite the Liberal grandstanding, many Ontarians have lost their jobs on their watch. The number of single, employable people on welfare has increased dramatically since the Liberals took office. In fact, in March of this year, the number of single, employable people was over 100,000—a level that has not been seen since September 1999. But the crucial question is, why are fewer private sector jobs being created in Ontario? It is because in one short year the Liberal government's inability to manage the finances of this province has destroyed the competitive advantage that we all worked so hard to build. The

recent economic outlook provided by the Royal Bank recognizes this and says that a new health care levy, along with other measures of fiscal restraint such as the elimination of an electricity subsidy, is currently having some impact on consumer spending in Ontario. And you know that if consumers are not buying, businesses are not making money. The result: job losses, unemployment and increases in welfare.

With Dalton McGuinty and the Liberals in charge, the people of Ontario can expect to continue to pay more and receive less. The Liberals have an uncontrollable desire to tax and spend. On January 1, 2004, the Liberals broke the Balanced Budget Act and the taxpayer protection pledge and sent their first clear message to the people of Ontario: If you want to live in Ontario it is going to cost you more and you are going to get less.

Today's economic statement is just the beginning of another chapter of Liberal mismanagement. The cuts to services will not stop, and the increases in our taxes are just beginning. We in the official opposition will be an effective, clear and constructive voice for the principles we believe in. We will continue to fight for parents, students, seniors, homeowners and for taxpayers, and we will continue to fight for those things that the people of Ontario want: balanced budgets, fiscal responsibility and low taxes.

**The Speaker:** Before I hear the response from the third party, I would still insist on more co-operation. I listened attentively to the Minister of Finance, and I think the opposition did so too. There was quite a bit of heckling coming from the government side.

I ask the leader of the third party to make his response.

**Mr Howard Hampton (Kenora-Rainy River):** It's always interesting to listen to this kind of statement by the Minister of Finance. What's interesting is what he leaves out, because it ignores a number of issues that pose very serious challenges to Ontario's economy.

First of all, the minister doesn't want to acknowledge that in fact one part of Ontario's economy, northern Ontario's economy, is actually shrinking. It has lost 6,000 jobs. The eastern Ontario economy is basically stalled. The only place we're really seeing significant growth is in the GTA and southwestern Ontario.

What he also ignores is the reality that most workers face. They'll hear the Minister of Finance's rosy statements, and they'll hear people from Bay Street say the economy is growing, but their own experience is that they are working longer, harder, for less. That is the experience of the average worker in Ontario.

It's interesting that even a friend of yours, the Institute for Competitiveness and Prosperity at the University of Toronto, says that's what is happening. They say that Ontario's workers' wages are 23% lower than their counterparts' wages in comparable American states. It amounts to a gap in wages of \$4,118 a year. That's the experience of the average worker out there across Ontario. They're working longer, harder, and they're working for less.

It's interesting that you didn't refer to the report of the major power consumers of Ontario—the steel industry,



the pulp and paper industry, the mining industry and the auto parts industry—because they're very clear in their analysis. They say the McGuinty government's strategy of privatizing our electricity through the back door—Conservatives were going to do it through the front door; you want to do it through the back door—is going to drive up industrial electricity prices by a further 30% at least, possibly by another 50%. They say it will cost us 140,000 good-paying industrial jobs; for example, Bowater Pulp and Paper. They say this is already happening. It's not economic theory; it's already happening. Companies are shutting down paper machines, shutting down projects and taking projects that could go in the future and eliminating them from the page.

I found it interesting to hear the rosy statements, but these are the real people. These are the people who actually produce, and they're saying your policies are going to result in the loss of 140,000 good-paying industrial jobs. They're going to result in the curtailment of a lot of production and projects that communities across this province have depended on. I wonder why that wasn't in the economic statement.

**Mr Michael Prue (Beaches-East York):** In the time remaining, I want to deal with just two aspects here. The first is the minister's statement concerning the broader public sector compensation. I would think that this statement, these couple of sentences, has probably sent multiple chills through the people who work in this province, because I think it is a very clear signal to all of them that your next statement is absolutely true, that the need for constraint is clear, and that means keeping program spending under control.

We're all in favour of keeping that under control, but look at the problems that exist in the civil service today. Look at how long we wait in the public sector for things like birth certificates. Look how long we wait for the Family Responsibility Office to actually do the work. People are out there waiting inordinate amounts of time.

I also want to talk about what the minister did not say in his statement here today, because I followed very carefully the prepared text and where he deviated from it. The most important deviation was at the bottom of page 5. He said, "In the coming weeks, I will provide an update to this House on our progress." But there was a sentence after that, which he has omitted on purpose before this House, and it reads, "Inevitably we will have to stop doing some things in order to invest in the priorities that matter most."

My question is, what are the things he is going to stop? I think this House needs to know what they are. Is he going to stop the programs to alleviate poverty? Is he going to stop the programs that will pay people on ODSP a sufficient amount of money to live? Is he going to stop the promises for building housing? We have tens of thousands of people who need affordable housing in this province. Is he going to stop the monies that are spent on the environment, with all that is happening with our water and our infrastructure?

Those are the hidden elements we do not see here. Those are what we need him to talk about. That is what he has omitted in this speech today in the House.

## LEGISLATIVE PAGES

**The Speaker (Hon Alvin Curling):** Today being the last day on duty for the wonderful group of pages who have served us so well, I want you all to thank them for the excellent job they have done. They have done very well.

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## WIFE ASSAULT PREVENTION MONTH

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for up to five minutes on Wife Assault Prevention Month.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for each party to speak for five minutes? Agreed.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Today I rise to remind all of us in the Legislature and everyone in Ontario that November is Wife Assault Prevention Month.

It's unbelievable to think that in the year 2004 we still have to remind people that there is this kind of behaviour going on. We have to redouble our efforts every day to understand what we can do in our various roles and responsibilities to eradicate this in Ontario.

A man beating his wife is a sickening thought, but imagine the horrible effects it has on children. Fully 37% of the time, this abuse and these beatings are witnessed by children right across the province. We know what happens when children are witnessing abuse. They are more likely to go on to become abused themselves or they will go on to be abusers themselves. That's why we in this Legislature have a responsibility to break that cycle.

I'm proud of the fact that for this government one of the first orders of business was a Premier of Ontario who stood up and said, "We will make a difference as a government. We will take steps to break that cycle." I'm very pleased to see that, while there is consternation on many issues politically in this House, this is not one of them. When we talk about the steps the government will make to break this cycle, it is not contentious among parties. All of us agree we have our respective roles to play.

I'm proud to say that at the end of November we will table our full domestic violence action plan. I know all of us are going to participate to the extent we can to implement the plan and make a difference. What I know is that it's going to push the envelope to tell the people of Ontario, "You are responsible," that every one of us has a role we can play in our own homes, as neighbours, as co-

workers, as colleagues. We can make a difference personally, and what we're going to say as an Ontario government is that it is our responsibility.

This past Monday in Ottawa I was proud to announce an additional \$3.5 million for transitional housing support. No matter where the women end up, whether it's in a shelter, whether it's in a second-stage home, whether it's at a friend's house, we are creating the capacity in these programs to reach out to these women and their children to re-establish them in the community, to ensure they have safety plans that work, to get them back on their feet where their work is concerned, to be sure we get their kids back into their regular school, and really to get these broken women back on their feet so they can be strong.

We're proud to say that in this last budget we could come forward with an increase, finally, after a long time, to a sector that needs the support, to the women's shelters out there, to the counselling services, and now after Monday's announcement, to bringing our second-stage housing providers back into the fold. These are first steps of a government this year. We're not through. A McGuinty government will have made a difference for women who are suffering from the effects of domestic violence. We will make a difference in the psyche of Ontario, and in prevention and education campaigns the likes of which we haven't seen.

I'm proud to stand in the House today, with my colleagues to help me, to help the public remember that this is a very serious issue. I thank all my colleagues for being so supportive. Probably one of the best things we are doing now as a government is coming together as an inter-ministerial task force involving 13 ministries across the government. "All hands on deck," is what Premier McGuinty said, and the way we're coming to this issue, it truly is all hands on deck. I know we're going to make a difference.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm certainly pleased to have the opportunity to speak on behalf of our caucus in recognition of Wife Assault Prevention Month. I do want to congratulate the minister. I think she certainly is very sincere and passionate in her desire to continue to move the yardstick forward in supporting the women and children who obviously do need assistance and support.

As has been mentioned, wife assault continues to be widespread, despite the efforts of all three parties in this House over many, many years. We know that it does cross all demographic boundaries. It affects young, old, rich, poor. The truth is, it's everywhere. Over the past years, we have made progress. However, there still remains a very disturbing and unacceptable number of cases of violence against women and children.

I believe that it is important that every woman and child in this province and across Canada has the right to feel safe and secure in his or her own home and community. In order for this to happen, I believe that legislators on all sides of the House have a responsibility, and we have a very important role to play.

We need to continue to support the initiatives that will ensure that no woman is forced to live in an abusive relationship and that no child is made to witness the assault of his or her mother. I guess what I find personally most distressing when I've taken a look at the research, and probably based on my own experience as a teacher, is having learned first-hand the fact that when children witness the abuse of their mother, it regrettably has a very long-term emotional, physical and psychological impact. That's a very serious, serious issue.

As I said at the outset, wife assault does continue to be widespread. According to the Assaulted Women's Helpline, in the province of Ontario alone, on average, 40 women and children are murdered each year, and in this province a woman is harmed, maimed or injured every minute of every day. Now, that's a very shocking statistic.

So we need to ensure that these women have access to the support services they need: the emergency shelters, the emotional support, the counselling, the legal assistance, housing. We need to continue to develop a justice system that meets the needs of these women and children. Important, as well, is the need to make sure that we provide an economic climate that will facilitate employment opportunities for these women in order that they can have economic independence.

If we take a look at the cost of violence, according to the Women's Health Bureau, again, the measurable health-related costs of violence against women in Canada presently exceed \$1.5 billion a year: "These costs include short-term medical and dental treatment for injuries, long-term physical and psychological care, lost time at work, and use of transition homes and crisis centres." I think we would all agree the costs to women, their children and society are huge.

A lot of work has been done. I applaud the minister for her ongoing efforts. I would just say in conclusion that I do believe that each one of us does have a responsibility and a duty as we go about our daily lives to continue to always challenge the attitudes and the behaviours that we personally witness that perpetuate wife assault.

**Ms Marilyn Churley (Toronto-Danforth):** We all know, of course, that November is traditionally marked by the province as Wife Assault Prevention Month, and November 25 is designated as the International Day for the Elimination of Violence against Women by the United Nations. That is in recognition of the global priority for women, to end violence and work for women's equality—and then, of course, December 6. This is a time of the year when it's important for us to all remember and regroup and talk and think about the things we need to be doing as government to reach out to women and make a difference in their lives.

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I'm not going to mince words here today because the minister went to Ottawa and made an announcement about second-stage housing. I haven't had an opportunity, because there was no announcement made in this House, to respond to that announcement, and the minister mentioned it again today. I've got to tell you, and I've



said it in this House before, I'm very I'm angry about what has happened with the funding for second-stage housing. I'm going to tell you about that now because I have the opportunity to do so.

I have a quote from Marie Bountrogianni, who said in this Legislature in 2003, "I'm proud to say that under a Dalton McGuinty government we would reinstate funding to second-stage housing." I have emergency measures documents here signed by Dalton McGuinty in 2002, where he clearly commits to reinstating the funding cuts to second-stage housing. The Liberals' "Choose change" document shows Dalton McGuinty's signature on this document, which I have here. And on and on.

After the Liberals came into power, they started changing the wording about what reinstating funding to second-stage housing is really all about and suddenly "reinstating" disappeared. What the government announced—and I'm not objecting to it. It's a good thing to expand these transitional worker programs across the province. But what has happened here is this \$3.5 million that was promised to second-stage housing, after they were cut by the previous government and struggled for survival for eight years, were out there fundraising like crazy and going into deficit positions every year—and forgive me and forgive them if we believed those promises and thought they were getting their core funding back for the programs of second-stage housing. That's not what was announced.

They're not getting that funding back, and they're desperate because some of them had a little bit of funding thrown at them for new programs, which is welcome. There's no question about it, it's welcome. But they're not getting that core funding, as they were promised. Furthermore, most of their donors out there think they're getting that core funding, so they can't even fundraise those dollars any more. The perception out there is that they're getting this core funding that they thought they were promised. That is a major problem.

I am hoping, and looking forward to the announcements later on about the programs that are coming, that we will see that promise kept. These women are counting on it. The women and children who use their services are counting on it.

I want to see, and they want to see, the \$3.5 million going directly to second-stage housing, as promised. We want to see the expansion of these transitional worker programs. We want to see more housing built because, as has been explained to me by some of the people struggling to work in second-stage housing, one of the problems now is you create these new workers, which is a good thing, they go into housing to work with women and children who are suffering from domestic violence, but there's nowhere for them to go. So in some ways, it's a good thing but in another way it's going to add to the crisis in the sense that we don't have the programs back in second-stage housing funded. We don't have new housing being built and there's nowhere for these people to go.

Another problem with the new program the minister announced is that it looks like one-size-fits-all by population. For instance, if you go up north, where there's not a very huge population, you've got one worker for a vast expanse of territory, and they can't do the job.

So there are a number of issues about the announcement, which I applaud, but it should not take the place of second-stage housing programs which the government promised.

## REMEMBRANCE DAY

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for up to five minutes on Remembrance Day, followed by a moment of silence.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent, as the government House leader has asked, for five minutes for each party and a moment of silence? Agreed.

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** I'm honoured to have the opportunity to make a statement today on behalf of the government.

Remembrance Day lives with all generations. School-children continue to learn about the significance of Remembrance Day and, importantly, the stories of the brave Canadian soldiers are imprinted on their hearts forever. It's important for us to ensure that these memories and reflections are passed on.

I'd like to quote a young Canadian student who was the winner of an essay contest sponsored by the Royal Canadian Legion. This student said, "Canada is a free and beautiful country because of many brave people. I would like to thank those brave soldiers for the freedom that I am able to experience today; that freedom, I know, came with a high price." It's a sentiment that all of us share.

The pain and hardship endured by those who served in times of war is something that many of us today can never fully appreciate or imagine. They left their friends and families, not knowing when, or indeed if, they would return. They experienced the horrors of war first-hand. They experienced injuries, they tended to the wounded, and some paid the ultimate price.

We may not be able to imagine the experiences they endured, but we can, and should, remember and honour their bravery and their commitment to Canada.

At the 11th hour of the 11th day of the 11th month, as has been the custom since the end of World War I, Ontarians from across the province will bow their heads in silent remembrance of those who made the ultimate sacrifice on our behalf. Next week, members of the House will be in their hometowns. I know all members will attend a Remembrance Day ceremony, indeed many Remembrance Day ceremonies and commemorative events in their communities.

While for some November 11 is a holiday, we hope that everyone, wherever we are, will pause to remember the sacrifice of others. I'm pleased, Mr Speaker, to inform you that the Ontario government has asked our employees to support the Royal Canadian Legion's two-minute wave of silence, which will sweep across Canada beginning at 11 am local time. We hope that all will stop, wherever they are and whatever they are doing, at 11 am, whether at home, at work, with family or friends, to pay this tribute.

Remembrance Day, November 11, and Veterans' Week, which is commemorated each year from November 5 to 11, provide an opportunity for us to remember those Canadians who so valiantly served their country.

Mr Speaker, the Ontario government, with your support and with the support of all the political parties in the House, is working toward erecting, as you know, a veterans' memorial on the grounds of Queen's Park. This memorial will be a fitting and lasting tribute to the heroism, dedication and loyalty of all who served in our armed forces. Although it shows our appreciation and our respect for all who sacrificed for the freedom we now have, we can never fully pay homage to the men and women who so valiantly served our country in times of war. We must all strive to keep forever in our memories those who sacrificed so much for the freedom of our country. Let us remember those who served and those who continue who serve in our armed forces.

Lest we forget.

**Mr John O'Toole (Durham):** It is an honour and a privilege in this House to speak on Remembrance Day on behalf of the Progressive Conservative caucus and our leader, John Tory.

Some 90 years ago, from 1914 to 1918, the Dominion of Canada sent 425,000 soldiers to fight in the First World War. Those Canadians—students, brothers, husbands and sons—went overseas to struggle in a just cause for democracy and freedom. One such young man from Durham was Fred West, recently deceased at 100 years of age. These young men fought in a series of costly and bloody battles, and by the end of the Great War, more than 69,000 Canadian troops had died, with 172,000 wounded. They fell at Vimy Ridge and elsewhere. In their final battle, Canadian soldiers were exposed to gas attacks, yet they continued to fight, showing amazing tenacity and undaunted courage in the face of overwhelming and perilous odds.

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On Armistice Day, which is today called Remembrance Day, we pause at the 11th hour of the 11th day of the 11th month, the time when the sounds of battle of the Great War went silent.

I recall the work done by former MPP Morley Kells in his legislation the Remembrance Day Observance Act, which marked the two minutes of silence officially.

The number 11 also has deep scriptural roots and meaning, as it represents the final hour before the time of divine judgment.

On Remembrance Day, we also remember the more than 100,000 Canadian men and women from the Dominion of Canada and Newfoundland who fought in the Second World War, of whom over 47,000 died in battle and did not return home.

I must recall, in my own community of Bowmanville, the Colville family, who lost three sons: The three brothers were Alex, William and John.

Canadians lost their lives during the Second World War fighting in Normandy on D-Day, the North Atlantic, defending Hong Kong, engaging in some of the fiercest fighting in the war in the liberation of Italy and Holland and many other important campaigns. They died fighting against oppression and to end the Holocaust, in which the Nazis and their sympathizers murdered over six million Jews.

I would like to take this opportunity to remember in this House a couple of individuals who are veterans of D-Day.

First, Victoria Cross recipient Reverend John W. Foote, the MPP for Durham, my predecessor, served in the Frost government from 1948 to 1951 and 1955.

Sergeant Gerald Bousfield attended the 50th anniversary of D-Day celebrations here at Queen's Park. Sergeant Bousfield had fought in the Second World War since 1939. As fate would have it, just three weeks before Germany surrendered, his platoon was ambushed by a German patrol and he was cut down by grenade. Shrapnel lodged in his legs made it difficult for Gerald to walk for the rest of his life. When he came to Queen's Park on June 6, 1994, 17 pieces of shrapnel, including a large curved piece, had emerged from his leg after many years of being buried in his flesh.

Gerald's wife gave him a Bible, which he always carried with him on duty in his left shirt pocket. One day during the battle, a stray bullet struck Sergeant Bousfield and lodged in the Bible, which saved him from harm. On another occasion, he was surprised by an SS officer, who pointed his luger pistol at the Sergeant Bousfield's head and pulled the trigger. But the pistol jammed and Sergeant Bousfield took the officer as a prisoner. At the funeral, both the Bible and the pistol were proudly displayed by Gerald's family.

I mention all of this to show how any person's heroism can serve to inspire younger generations of Canadians. We need our veterans to tell us their accounts and battles and stories of heroism. We need to tell our children and we need to remind ourselves.

In this context, I would remind myself. My son Erin Michael O'Toole was a captain, now retired. He was a Sea King helicopter pilot. My son-in-law David Lohse is a captain and test pilot in the armed forces. It constantly reminds me of the duty to country.

Let us remember the veterans who have fallen in many wars, the veterans of the Korean War, the merchant navy men. The list goes on of those who have given to their country. As you might recall, yesterday we recognized the peacekeepers who serve this country.



As we pass by the cenotaph this week, each name represents a silent library of sacrificed lives on behalf of us and our freedom. So this weekend, as each member has the duty as we visit the cenotaph, we are there to thank those who have given to our country, given of their lives for our freedom and democracy.

**Mr Howard Hampton (Kenora-Rainy River):** On behalf of New Democrats, I too want to encourage people across Ontario to get involved in Remembrance Day ceremonies, to take the time to acquaint themselves with what has gone before us.

Many people don't know that over a million and a half Canadians sacrificed themselves in the First World War, the Second World War and the Korean War, and that 117,000 of those did not return. We need to remember.

This past summer, the member for Nickel Belt and I had the experience of a lifetime when we were able to go to Normandy and Dieppe and Vimy Ridge. This summer, being the 60th anniversary of D-Day, I can tell you that there were probably more Canadian flags flying in Normandy than in all of Canada. It was nice to see that so many people who live in northern France remember and recognize.

But there are some really disturbing things to see. I had never been to a war cemetery before. To go to the Canadian war cemetery at Beny-sur-Mer and see Canadian soldiers and sailors and people who served in the air force, not hundreds but thousands of gravestones, and to walk down some of those lines of graves and look at the ages of people when they were killed, to go down a whole row of 20 crosses and see age 18, age 18, age 18—it struck me after I had passed three like that, that here were three young men who, if you look at their combined years, it's just a little bit longer than the 52 years I've had the privilege to live.

They were young men who weren't drafted into the military. They weren't told, "You have to go." They went as volunteers. When you read some of the history, they're very plain about why they went. It was not the search for glory—the glorification you sometimes see on television. They were people who simply felt it was a job they had to do. I wish that every Canadian could see the cemetery at Beny-sur-Mer or the cemetery at Falaise.

We also had a chance to go to Vimy Ridge. Vimy Ridge is a very haunting place. It's haunting because as you approach the memorial, there are signs everywhere saying, "Do not walk in the field," because there are still tons of unexploded ammunition. In fact, we learned that French farmers who still plow their fields near Vimy Ridge have their tractors armour-plated because when they go over something with their plow they never know when it might explode. They still have mustard gas and chlorine gas cylinders go off and result in injury to people.

I wish every Canadian could visit Vimy Ridge, though, to see the incredible sacrifice that was made; to see that in 1916, the French attempted to take back Vimy Ridge and over 50,000 French soldiers were killed. In 1916, the British attempted it—similar numbers.

You go to a graveyard and see 3,000 or 4,000 Canadians. You go half a mile down the road and see 50,000 gravestones of German soldiers; a little further, 25,000, of French soldiers. In a world where sometimes Hollywood wants to glorify war, I think people need to have a sense of what these people faced and dealt with.

This year, there will be a special commemoration of the war in Italy. The Canadians who were dismissed as the D-Day dodgers because they spent their time fighting up the Italian peninsula and missed D-Day, which all the movies like *The Longest Day* and *Saving Private Ryan* are all about—you don't see a movie about the Italian campaign.

We think of Farley Mowat as having written *Lost in the Barrens*, *Never Cry Wolf*, *The Boat Who Wouldn't Float*. But Farley Mowat was there. His book is called *And No Birds Sang*, and it's appropriate, because in the final pages he talks about having watched his two best friends die and he says, "The blanket that screened the shattered cellar door was thrust aside and a party of stretcher-bearers pushed in amongst us. Al Park lay on one of the stretchers. He was alive, though barely so ... with a bullet in his head.

"As I looked down at his faded, empty face under its crown of crimson bandages, I began to weep....

"I wonder now ... were my tears for" my friends "Alex and Al and all the others who had gone and who were yet to go?

"Or was I weeping for myself ... and those who would remain?"

We need to remember that war is not an answer for anything. Farley Mowat came back from the war a confirmed pacifist.

I urge all Ontarians to take the time on November 11 to remember the sacrifice that has been made. It is a sacrifice that we all owe so much to.

**The Speaker:** Would all members, staff and guests please rise to observe a moment of silence for Remembrance Day.

*The House observed a moment's silence.*

**The Speaker:** Thank you.

1450

## ORAL QUESTIONS

### TAXATION

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. Premier, you made certain fundamental economic promises to the people of Ontario when you sought to be elected. Number 70 was that you'd live by the balanced budget law; you've broken that promise. In fact, you've introduced a bill to repeal it. Number 71 and number 227: "The debt will go in one direction only," you told the people of Ontario—"down," and you would not raise the debt. You broke that; we will have a debt increase of \$10 billion over the course of the next four

years. Then you made the big pledge to hold the line on taxes, followed, once you were elected, by the largest tax grab in the history of Ontario: \$7 billion.

The justification for all this promise-breaking by yourself was the need for more revenue. We listened to the Minister of Finance today, and in the economic statement he says that revenue is as planned and the GDP is on course. Will you assure the people of Ontario now that there will be no more tax grabs during the remaining three years of your administration?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I think if the member would review my statement today and the documents, he will see clearly that we have a comprehensive economic plan to get this province back to strong financial health, to create jobs, to make Ontario a leader in North America.

I just want to tell my friends that what happened back on October 2, 2003, was that the people of this province rejected categorically the economic policies of our predecessors, which were based on faulty economics: the notion that you can lower taxes, improve services and balance the budget. That was rejected, and my advice to him would be that he cease to preach that stuff, because it just doesn't work.

**Mr Flaherty:** So there's no commitment not to raise taxes over the course of the next three years. The people of Ontario can expect more tax increases, more broken promises.

I read about your plan. It's on every page of this economic statement. It's all through your speech of October 1 to the Economic Club of Toronto—lots of talk about your plan.

Let's talk about your plan. Are there tax increases in your plan? You say you have a four-year plan. You say you know what you're doing. If you think you know what you're doing, if you actually do have a plan rather than some fuzzy idea—you keep talking about this plan. You just said that it's a structured plan; you just said that it's a comprehensive plan. Well, people in Ontario have to plan. Families have to plan. Businesses have to plan. What's the plan on the revenue side? Are you going to increase taxes more in Ontario over the course of the next three years? What's the plan?

**Hon Mr Sorbara:** I don't know how we could be clearer. We set out a four-year plan. I presume that my friend opposite has actually read the plan. I presume that if he read the plan he would notice that there are no tax increases contemplated, right through the balance of the four-year plan. And, having referred to the debt, I would presume that he would want to put on the record that during his term in office, including while he was finance minister, that party and that government increased the debt of this province by \$52 billion.

**Mr Flaherty:** I noticed on the revenue side today—it was only three years ago that the revenues across Ontario were \$65 billion—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I'm having difficulty hearing the member for Whitby-Ajax.

**Mr Flaherty:** On the revenue side, there's an incredible grab that has been taken by this government from the people and businesses of Ontario, made all the worse by your commitment, Premier—I suppose the other members on your side of the House supported it—when you sought office that you would not do what you did. You went ahead and made a massive tax grab in this province. Now, if there is a comprehensive plan, let the Minister of Finance, whom you've chosen to have answer this question, be absolutely clear in Hansard and in this House, and assure us and small business, the job creators, and the working families in Ontario that you used to care about, that you are not going to increase their tax burden for the next three years so that they can do some planning—not one penny more.

**Hon Mr Sorbara:** Among the things I'm going to assure my friend and the people of this province about is that we will not use their public tax dollars to fund private schools in this province. That's the policy of that member; it's not the policy of this government.

One more thing should be very clear to my friend. This budget we presented back on May 18 represents a comprehensive plan. I simply invite my friend to review it again so he can confirm to himself that there are no tax increases contemplated through the balance of our plan. We will put this province back in a good financial state of health with the revenues we have as we improve services and repair the damage he and others did during eight and a half years as the government of this province.

#### GOVERNMENT SPENDING

**Mr Jim Flaherty (Whitby-Ajax):** Again to the Premier: It's interesting to listen to the weasel words we're hearing from the other side, that there are no tax increases contemplated. Can't you just say you won't do it? You say you have a four-year plan. Can't you just be frank and open with the people of Ontario and say, "I do not intend to increase taxes, I've already grabbed enough from the people of Ontario"?

Let's talk about the spending side. Out of control spending: You've been in office for more than a year. You increased spending by more than \$4 billion. You made a promise to balance the budget, to keep taxes down, to manage prudently—promise number 65. You call that management? You have increased spending in Ontario by 7.5% in one year, with GDP growing at 3% or so, as you say in your statement. Is that prudent fiscal management, increasing spending by 7.5%? Now tell the people of Ontario what steps you have in your plan to get at spending that's out of control, because it's gone wild with you at the helm.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I think that the only thing my friend from Whitby refuses to do is to actually read the document. No, there's one other



thing he refuses to do. While he's calling for restraint on spending—we agree with that, and the discipline in our plan is unprecedented in that area—virtually every member of that caucus over the past few days has been calling in this House for increased spending for one thing or another, and that includes the member for Oak Ridges, the House leader and the whole lot of them. I will tell my friend that we will be prudent, disciplined and we will repair the damage. We're going to make Ontario a leader in economic growth and a leader in financial management.

**Mr Flaherty:** This is the way the government repairs the damage, as he says: They increase spending by 7.5%, if you can imagine, with an economy growing at less than half that, and this minister has the nerve to pretend that somehow that is responsible fiscal management. The people of Ontario are not fooled by that. They know they can't increase their spending by 7.5%. They expect the government to live within its means, which you're not doing.

1500

You say you have a plan. I've read your budget; I didn't see a plan to control your spending. How are you going to control your spending in your plan? What specific steps are you going to take to control spending in the province of Ontario? Just as working families have to do, just as small business has to do, be responsible and disclose the steps that you are going to take—if you know—to control spending in Ontario.

**Hon Mr Sorbara:** I think I might be missing something. I thought that the member from Whitby-Ajax was in the Legislature when I just delivered my fall economic update. I thought he might have heard that we are under-going, in this government and in this province, a thorough modernization of government services so that we're going to be in a position to manage our expenditures. I thought he might have heard that, immediately, we are taking steps to create one corporate income tax collector in this province. I thought he might have heard, during the statement, of the steps we're taking in supply chain management. I thought he might have heard of the reference we made to bringing our information technology costs under control. But I'm afraid that, while he was here, he was not listening to any of it.

**Mr Flaherty:** I listened to it, and I saw the word "plan" on every page. I didn't see any numbers; all I saw was some talk about what you might do. You didn't do anything in the first year except grab taxes from the people of Ontario and increase spending irresponsibly by 7.5%.

People know that their insurance rates have gone up on their house and their cars. They know that their energy costs are going out of control. They know that the mortgage interest is going up and the interest on their car loans is going to go up. That's what you've done. They understand what you've done during your first year, and there are consequences.

There's a chill in the Ontario economy. Dominion Bond Rating Service has already downgraded Ontario

because of you. They've said that "postponing the hard decisions has changed the trend in Ontario from stable to negative."

Congratulations, Minister: You've put us in a negative position in one year in office. What are you going to do to give the people of Ontario confidence? What are the particulars of the plan? Stop grabbing tax money and get your spending under control.

**Hon Mr Sorbara:** My friend referred to "representations." I want to ask him whether he agrees that the representation made three weeks before the election last October, in which his government put out a second-quarter report on the financial circumstances of the province in which they certified that there was no deficit in the province—a month later, an independent Provincial Auditor says to the entire province that the people had been hoodwinked, that there was a \$5.6-billion deficit created by that government.

I want to tell you, that's history. We're beyond that. Already, Ontario's economy is healthier. Already, Ontario finances are healthier, and it's going to get better and better and better, I tell my friend from Whitby-Ajax.

#### HOSPITAL FUNDING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. For the last four weeks we have been telling you about the serious problems our hospitals face as a result of your government's under-funding. Your response has been to try to blame others: to blame hospital boards, to blame hospital administrators. The Minister of Health even tried to blame the lowest-paid workers in our hospitals—the people who do the cleaning of our hospitals. But all this while, the government has been sitting on \$2.8 billion of unallocated funding: \$800 million from the federal government and \$2 billion in contingency reserves that your finance minister acknowledges is in the budget.

Premier, you promised Ontario hospitals stable, adequate funding. You promised, "No more cuts to health services." What happened to your promise? Why are you sitting on \$2.8 billion while forcing Ontario hospitals through all this pain?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** First of all, I have no idea about this magic pile of \$2.8 billion. Let's be clear: The leader of the NDP is a staunch defender of the status quo when it comes to health care, and we feel the responsibility to bring about transformation within our health care system.

I entirely reject the notion that somehow I'm blaming anybody in hospitals with respect to the circumstances in which they find themselves, because that is completely inaccurate. We are working with hospitals. We've said they have two years within which they can balance the budget. We've said we have a seven-step process to work with them. We've invested over \$1 billion in hospitals since taking office. We provided \$470 million in new operating costs for hospitals this year. That's \$700 million more than the Tories provided for in their infamous



Magna budget. We are working with hospitals on an individual basis to work through their particular challenges, and we're determined to get there.

**Mr Hampton:** Premier, hospitals beg to differ. That's why they're writing letters to us, pointing out that they are being forced to cut core services. That's why they hold editorial boards with the London newspapers to point out how serious the situation is. That's why, despite the fact that they fear your health minister, many of them come forward and say, "Look, this is not going to work. We are cutting services, which is going to hurt our community." Earlier this week it was London; it was northern hospitals. Today it is Brantford and Paris, where full-time and part-time nursing positions are being eliminated, again because of your government's short funding.

Premier, it's your promise. You were the one who said during the election campaign and before the election campaign that there would be no more cuts to health services, that hospitals would receive multi-year, adequate funding so they could achieve stability. What happened to your promise, Premier? Why are you doing the same thing the Conservatives did to our hospitals?

**Hon Mr McGuinty:** Again, we're proud of the fact that we're able to make an additional \$1-billion investment in Ontario hospitals this year, including \$470 million in new operating costs.

Notwithstanding the scenario which is colourfully presented by my colleague, we're actually working with hospitals. This is not easy work. We're working with them on an individual basis, hospital by hospital, to make sure that we get this right. We simply cannot continue to fund hospitals at an annual increase level of 10%. I mean, if we had the money, we would do it, but we don't. So we've said it will be 4.3%.

We're relieving pressures on hospitals by investing significantly in services to be found outside the hospitals: significant investments in our nursing homes, significant investments in home care, significant investments in community mental health, significant investments as well in public health—all of that with a view to relieving pressures on hospitals. At the same time, we've launched a process that is without precedent to work together, ministry officials with hospitals, to make sure that we can better control costs without compromising quality of care.

**Mr Hampton:** Northern hospitals, 32 out of 40, write to us and point out that because of your short funding, they have to cut \$51 million, and in the case of northern hospitals, those are core services. They are core services that are taken for granted across southern Ontario, taken for granted in many centres in North America. They are having to cut those very core services.

You talk about seven steps. The first step is tough enough. They don't want to see the next six steps, because they know what it means. It means more cuts. It means more loss of important health care services for their community.

I remind you again, Premier—they are not my words; they're not the words of someone else—that it was Dalton McGuinty who said, "There will be no more cuts to health services." It was Dalton McGuinty who said that you will provide multi-year, adequate funding so that hospitals will not be forced through these kinds of painful manoeuvres again. What happened to Dalton McGuinty's promise to our hospitals?

**Hon Mr McGuinty:** I am pleased to report once again that over 50 hospitals have already presented balanced budget plans. We're going to work with all the rest now to ensure that we can arrive at the same end state.

We've got this process, and I think people will be interested in knowing a little bit more about it. Hospitals had to submit balanced budget plans by October 29. Now the ministry is reviewing those plans and working with hospitals through a seven-point process to find efficiencies. If a hospital still cannot balance their budget, a joint steering committee made up of hospital representatives, outside experts and ministry staff will go into the hospital to find further efficiencies.

All of the cuts that my friend has talked about are projected. None of these cuts exist in fact. These are projections and speculations. What we want to do now is sit down with our hospitals and find out exactly how we can better work together to manage their cost issues in a way that does not compromise quality of care.

1510

## ONTARIO FILM INDUSTRY

**Mr Rosario Marchese (Trinity-Spadina):** I have a question to the Premier. There is a jobs crisis in the film and television industry in this province. Over 50,000 jobs depend upon this industry, and most of them are in Toronto and area. In your election platform you promised to boost the Ontario film and television tax credit from 20% to 33%. You also said you would increase this credit for feature films from 20% to 40%. We have yet to see the benefits of this promise. The film industry is suffering. When can we expect you to fulfill this promise?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I'm delighted to get that question from my friend from Trinity-Spadina. It's good to see him on his feet and talking about one of the areas where we've already made an important impact.

He will remember that in the budget we did enhance the film tax credit for motion pictures. He will know that the government, through the minister, who unfortunately is not here today, is deeply committed to making this province—not just greater Toronto but this province—an important production area, not just in the Canadian context but in the more North American context. I invite my friend from Trinity-Spadina to keep on pursuing this because he knows, I know and we know that this sort of production is part of the next Ontario economy.

**The Speaker (Hon Alvin Curling):** Supplementary?



**Ms Marilyn Churley (Toronto-Danforth):** Minister, your enhancement didn't work. That's what this question is all about. There are a number of major film studios in my riding and thousands of local jobs are at stake.

According to a report from your own government, foreign-project filming in Ontario declined a stunning 36%, or \$200 million, in 2003. Film Ontario states that the Ontario film and television industry is extremely concerned about the lack of competitiveness of Ontario's domestic and service tax credits, and it's only going to get worse. The US will soon have new, lucrative tax credits. Manitoba has tax credits of 35% or more. In contrast, Ontario's incentive is only about 11%. Minister, a direct question: How much are you going to increase the film credits, and when are you going to do it?

**Hon Mr Sorbara:** My friend from Toronto-Danforth is another great and articulate supporter of this industry, and I appreciate her input.

I want to make it clear to her, though, that Ontario will not participate in the unhealthy bidding war with upping and upping tax credits, and we do see a little bit of that. Instead, we have a better way of competing. We are going to help generate the most skilled labour pool and talent pool on the continent in film and production. We're going to make sure we have a well-developed infrastructure so that everyone knows that the best films can be made in Ontario.

Finally, and this is part of our heritage, we do have, among all locations, the most diverse and best on-location sites on the entire continent. I want to thank my friend for the question.

**The Speaker:** Final supplementary.

**Mr Michael Prue (Beaches-East York):** Mr Minister, with the greatest of respect, you should be a director. You're directing *The Perfect Storm* here, the storm against our television and film industry.

The Canadian dollar has gone up. That was in your budget statement today. We all know that's hurting the film industry. We know that SARS hurt it. We know the blackout hurt it. We know that foreign and Canadian jurisdictions are spending a lot more money than we are, and we know that television and film production is way down in Ontario. This is an industry that makes us money, not costs us money. You have to spend a little bit to make it. I'm asking you point-blank—you have to do it; it's a crucial industry. It is every bit as crucial as Ford Motor Co in Oakville. It is crucial. When are you going to give this crucial industry crucial money so they can get on with their work and keep Canadians employed?

**Hon Mr Sorbara:** This is great. We've got a wonderful contrast here. On the one hand, we've got the New Democratic Party that says, "Whatever it takes, whatever the bidding war, just spend more." Some of them actually attended the successful Toronto International Film Festival and they saw how well we're doing, but that's the New Democratic Party. On the other hand, over here we have the Conservative Party, led by Jim Flaherty, who says, "If it's in the Yellow Pages," and I'm sure pro-

duction companies are in the Yellow Pages, "they don't deserve a dime of public support."

On this side, you have a responsible government that is making the critical investments to make Ontario one of the leading jurisdictions on the continent in film production, and we're very proud of that.

**Ms Churley:** On a point of order, Mr Speaker: I want to request a late show on this question so I can provide more information to the minister.

**The Speaker:** Do the necessary paperwork and submit it to the Clerk.

## HOSPITAL FUNDING

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is to the Premier. You promised prior to the last election that people in this province would see more nurses and more beds and there would be adequate hospital funding—in fact, you would provide multi-year stable funding. And obviously, you indicated there would be no new tax hikes. Now, regrettably, as a result of the underfunding of our hospitals, in particular London, we find out that they're going to have to close 348 beds, cut 1,000 jobs and cancel about 4,000 surgeries.

I guess what was even more upsetting to the people in the London community was the fact that they didn't see their local MPPs come to their defence until yesterday, when they seemed to come out only to support the fact that people were paying more but getting less. They were particularly disappointed yesterday when your caucus voted against our motion to guarantee that not one hospital bed would close and not one nurse would lose their job over the course of your mandate. I ask you today, can you guarantee that not one nurse will lose their job and not one hospital bed will close during your mandate?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** This is a bit surprising coming from the former Minister of Health, but here is an assurance that I will make to the people of Ontario: We will not do what the Conservative government did to them. They cut \$557 million over two years from hospitals. They closed 28 hospitals. They closed 5,000 beds in their first two years alone. They spent \$400 million to fire thousands of nurses and then spent hundreds of millions in a desperate, vain and failed attempt to lure them back. When it came to home care, they cut home care and then fired local boards.

The member opposite brings up the community of London. I know the people of London are able to distinguish between headlines, speculation, fearmongering and the facts. They are very concerned about what happened to their children's pediatric cardiac surgery program, and with good reason. But I'm pleased to say we've invested so far \$43 million more in the community of London to improve the quality of their health care.

**Mrs Witmer:** I hope the people in London and Ontario can see the difference between fearmongering, because I think the Premier recognizes full well that what he just said about nurses and hospital beds is not accu-

ate. You know yourself that we hired 12,000 new nurses and we added 20,000 new beds to the long-term-care system. I think it's important to get that on the record. We also did a reordering of the hospital system.

I say to the Premier, not only have people in this province not seen much support—in fact, no support—from the members of the Liberal caucus, but we now find out that people in Perth-Middlesex and Brant are also disappointed. We find out now that in the Stratford area—St Marys, Seaforth, Clinton—they're going to cut 18 full-time registered nurses, 23 registered practical nurses and 31 staff. The Brant county hospital is going to eliminate nine nursing positions.

I ask you one more time, Premier, can you guarantee that not one nursing job will be cut in this province and not one hospital bed closed? It's very simple. Can you give some security to people in this province?

**Hon Mr McGuinty:** Frankly, I think it's very irresponsible to engage in the kind of speculation the member opposite is doing. This is nothing more than pure, idle, and in some ways malicious speculation. It does a disservice to the facts.

We are working with hospitals, and I want to assure the people of London that their MPPs, who have the privilege of serving them in government, are working as hard as they can to improve the quality of health care services in that community. They're doing a heck of a lot better job than those who served in government in the past, who presided over the demise of the pediatric cardiac surgery program, who presided over the demise, gradual but inevitable, with respect to their health care services generally.

We are proud to make additional and ongoing investments to health care services in the community of London, and we look forward to working with them in a co-operative, collaborative way to improve the quality of their services as we get our costs under control.

1520

### PUBLIC INQUIRY

**Mr Peter Kormos (Niagara Centre):** A question to the Premier: A cloud continues to hang over the city of Cornwall because you haven't kept your promise to hold a full public inquiry into the Project Truth investigation. It's a troubling story because, as you know, a citizens' committee itself uncovered evidence of sexual assaults on close to 50 victims, some of them as young as 12 years old. The OPP subsequently laid 115 charges against 15 people, yet only one person was ever convicted, and most of the cases were stayed by the crown because of prosecutorial delay.

When you were in opposition, you promised justice for the folks of Cornwall and these victims of abuse. You promised a full public inquiry. You've got people from Cornwall here in this chamber today. Tell them when that public inquiry is going to commence.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm pleased to have the oppor-

tunity to speak to this issue. I know the member opposite understands it is an issue that is of tremendous importance to the community of Cornwall, and I think he phrased it accurately when he described it as a cloud that hangs over that community.

I want to begin by commending the efforts made by former MPPs John Cleary and Gary Guzzo, who served in this Legislature and were relentless in raising this issue before this Legislature. I want to commend the work done by Jim Brownell, the MPP who represents that community at the present time. I want to say to the community of Cornwall that we will, in fact and indeed, hold such an inquiry. We will not officially launch that inquiry until the appeal period lapses. I understand it will lapse in some 12 days. We also look forward to working with the community of Cornwall to ensure that the appropriate terms of reference are drafted and guide that inquiry.

**Mr Kormos:** People in Cornwall and victims of abuse have been waiting a year now for you to say that, and I am sure they're pleased it's been said. But let me take this to its next logical step, Premier, and that is that we need an assurance as well that it will be a full public inquiry under the Public Inquiries Act, with all the powers of the act given to the commissioner conducting that inquiry, including powers to summons and compel attendance, powers to subpoena and, quite frankly, including intervener funding so that the victims of these assaults, their spouses, families and advocates can be assured effective standing at that inquiry: full public inquiry, Public Inquiries Act; all of the powers under the act; intervener funding for victims, their families and advocates for those people.

**Hon Mr McGuinty:** There will be a full public inquiry under the Public Inquiries Act.

### CORPORATE TAX

**Mr Kevin Daniel Flynn (Oakville):** Small business is the backbone of Ontario's economy, and as a former small business person, my question today is for the Minister of Finance. Yesterday the Premier announced the government had finally reached an agreement with Ottawa to set up a single corporate income tax collection system. This new and improved system is something that Ontario businesses have been asking for for quite some time now. Under the previous Tory government, this worthwhile request for streamlining simply fell on deaf ears; it never materialized. This move will affect more than 760,000 Ontario businesses, businesses vital in ensuring our prosperity.

Minister, would you explain to this House why this new and improved system is so necessary and how it will help business in Ontario?

**Hon Greg Sorbara (Minister of Finance):** I'd be very pleased to do that. I just want to make sure my friend from Oakville understands that the agreement we've reached is to begin to sit down to negotiate the



details of a single tax collection system for corporations in the province of Ontario.

We're very enthusiastic about it for two reasons. First of all, it's an important part of the modernization of government. It allows us, through the collaboration of two levels of government, to simplify ourselves and our expenditures internally. Secondly, and I think much more importantly, it provides streamlined reporting for individual businesses. Now, I know if you're a very large business, the fact that you have to deal with multiple jurisdictions in filing a tax return may not mean very much, but for a small business, where every single dollar has to be watched very carefully, this is very good news. We're very pleased to be able to include the announcement in the fall economic update.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** My question is to the Minister of Finance. Minister, from what you have just explained to the House, this move will ensure that businesses will be able to run their operations in a more efficient manner. How has the business community responded to this new initiative?

**Hon Mr Sorbara:** Well, sir, I should tell you and my friend from Bramalea-Gore-Malton-Springdale that the reaction has been very favourable indeed. This is not surprising, because this was one of the issues that was very high up on the list of priorities for change within the Ontario Chamber of Commerce. Indeed, Len Crispino, the president of the chamber of commerce, has said that the business community has been calling for this for many years, so obviously they are delighted. I want to reassure you and my friend from Bramalea-Gore-Malton-Springdale and this House that we will keep the province up to date as we proceed with our negotiations. I hope they are speedy and effective and that we'll have a completion of these negotiations in the near future.

## CONTROL OF SMOKING

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Premier. Mr Premier, yesterday and today we honoured veterans in this House for the sacrifices they and their colleagues have made through both war and peacetime. I know that many of the members in this House will be attending Remembrance Day services throughout the next week, and I know that in my own riding I've got nine Legions and there are over 17 events I have to attend.

I understand that your Minister of Health will be introducing anti-smoking legislation that may include eliminating smoking in legion halls and veterans' establishments. Premier, will your government—and I just need a simple answer—be introducing legislation that will eliminate smoking in legion halls and veterans' establishments?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'll leave the details with respect to that bill in the hands of the minister, but I can say that we are most determined to address the issue of smoking

in public places and in workplaces in the province. We will be introducing comprehensive legislation. Smoking is the number one killer in the province of Ontario. It costs us over \$1 billion on an annual basis in health care costs, and we are determined to address it in a comprehensive way.

**Mr Dunlop:** I don't think I need to remind the House that we wouldn't be here today without the contributions our soldiers have made so that we can live in a land of peace and freedom with the right to vote and have a democracy. Mr Premier, our veterans do not ask much from this province or from this assembly. As veterans, they do their socializing in their legion halls and veterans' establishments. Any decision that would take away the right of a veteran to have a cigarette in a legion hall, I feel, would be a cruel and shameful decision.

Mr Premier, will you promise today that you will not include Legions and veterans' establishments in your anti-smoking legislation?

1530

**Hon Mr McGuinty:** Just to remind members opposite, I know a little something about veterans, having had the very good fortune and privilege of working as an orderly at the National Defence Medical Centre in Ottawa for about a year's time after high school, where I provided basic, hands-on care for veterans. I bathed and shaved these men, turned them from side to side, fed them, brushed their hair, brushed their teeth, read to them and listened to them, so I know a little something about veterans. And my respect for them is, I would argue, without compare.

Having said that, 16,000 Ontarians die every year as a result of smoking-related illness. It costs us \$1.7 billion in health costs. We will be introducing a bill that addresses that. It will be comprehensive, and it will be with a view to ensuring that we get better control over this scourge in Ontario: smoking-related illness.

## LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a question to the Premier. On October 7, the Ministry of Health released a list of long-term-care facilities which received additional funding as per your May 11 long-term-care announcement. It appears that every facility got additional funding. The amount of annual funding that each facility received is also listed. What is curious is that while the list says the government is investing \$191 million in long-term-care facilities, the total amount that has been allocated to long-term-care facilities is only \$116 million. Can you tell me where the balance of the money, some \$75 million, has actually gone?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me tell you about the \$191 million and our investment. We're investing in 2,000 new staff, including 600 new nurses. We're increasing the quality, the level of standards that we're providing to the 70,000 of our parents and grandparents who are living out the remainder of their lives in nursing homes.



We are providing two baths per week. We're going to ensure that there's a registered nurse on duty on a 24/7 basis. We're also providing for some additional costs that are connected with spousal unification. We want to ensure that spouses can continue to live together even if they find themselves in a nursing home. We've also increased, by way of additional standards, dietary review of menu plans and diets. Those are the kinds of services that we are providing as a result of this new investment.

**Ms Martel:** The question is, where is the balance of the money that you've promised? You see, the press release from October 7 is very clear. The amount of annual funding given to each facility is listed. It appears that each facility in Ontario received money. But the total amount of money that has been allocated is \$116 million, not \$191 million. Now, yesterday, in a statement in this House, the Minister of Health said, "We invested additional funding of \$191 million this year." That is just not true. Premier, \$75 million is missing. That is money that you said would go to support residents in long-term-care facilities. I ask you again, where has the \$75 million gone?

**Hon Mr McGuinty:** Here's some of the information that was provided at the time of that announcement. The remaining funding, to which, I presume, the member is making reference, \$74.8 million in fact, is for additional services to assist patients to move out of hospitals and into long-term-care facilities, for a Web site, a public reporting system and to enhance care standards, including staff training for such things as wound care and nutrition. We'll be announcing details of these and other important initiatives over the next few months.

#### APPRENTICESHIP TRAINING

**Mr John Wilkinson (Perth-Middlesex):** My question is for the Minister of Training, Colleges and Universities.

As you know, your ministry has provided \$21 million to fund programs that will provide innovative investments in apprenticeship training in 2004-05. In my riding of Perth-Middlesex lies the Stratford Normal School building in Stratford, Ontario. Built in 1908, this building is a unique example of Italian Renaissance architecture. Designed by Francis Heakes, a well-respected heritage architect, it was one of four identical training colleges the province built in 1908 to promote a set of norms for teaching in rural Ontario.

Just across from the Stratford Festival Theatre, the building today serves as a discovery centre, an educational and cultural resource for the citizens of Stratford and Perth county and countless visitors who annually attend theatre performances. Despite its wonderful history and its remarkable interior restoration, the exterior of the building needs refurbishing. Would the minister be willing to consider heritage restoration as part of its funding for the apprenticeship training program?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'd like to thank the member

from Perth-Middlesex for his question. My ministry is well aware of the importance of the skills required for heritage restoration. In fact, our industry committee is currently looking at how to address the requirements and delivery of such skills.

We're also considering a proposal for funding through the apprenticeship innovation fund. We will continue to work closely with our industry partners to hear about their needs and to determine how we can work with them toward achieving the resolution of their needs.

**Mr Wilkinson:** I note that heritage restoration is the largest-growing sector of Ontario's masonry industry. It's critical that ministry-funded apprenticeship programs recognize the growth in this sector. To ensure the protection of our province's historic buildings today, tomorrow and years down the line, we must commit to the development of masons so that they might have the skills necessary to preserve our heritage. With this in mind, will the minister take into account heritage restoration as part of her ministry's apprenticeship training programs curriculum?

**Hon Mrs Chambers:** My ministry would be very pleased to work with the provincial advisory committee to address the need for apprenticeships to ensure that the skills are available for heritage restoration. As part of our support for apprenticeships, we do get involved in the review of the curricula associated with the programs. We recognize that heritage restoration is a growing sector in Ontario, and we are very happy to work with the heritage restoration sector on this file.

#### GREENBELT

**Mr Tim Hudak (Erie-Lincoln):** I have a question to the Premier. The Ontario Grape King receives his title because of his or her exemplary stewardship of the land and commitment to farming excellence.

Last night at a grape growers' reception, the 2004 Grape King said the following: "The greenbelt legislation is the serf's yoke which will obliterate the farming community." Premier, the Grape King went on to tear a veritable verbal strip off the back of the Dalton McGuinty government that you probably felt all the way at your fundraiser in Ottawa. Doesn't this strong, visceral reaction by Ontario grape growers show that your greenbelt plan is fatally flawed and that you have no plan whatsoever to help greenbelt farmers?

**Hon Steve Peters (Minister of Agriculture and Food):** I think it's important that the honourable member, and everyone in this House, understand that there's a finite amount of prime agricultural land in this province. This greenbelt is a legacy that this government is going to leave behind for future generations. I hope that every member in this House would stand behind that.

I was really pleased to receive the Healthy Farms, Healthy Towns report yesterday from the region of Niagara. I think it's a very interesting read, and I would encourage the member to read it as well. I quote from the report: "Over the longer term, the greenbelt will likely



enhance land values, as happened in the case of Niagara Escarpment lands.”

A company that they identified said there’s “little, if any, speculative value in Niagara’s grape and tender fruit lands related to potential rezoning for industrial or commercial use or for residential lots. Agri Choice could offer no evidence that Niagara farmland prices will decline as a result of the greenbelt.”

Bankers talked about the importance of the greenbelt. “They did not expect to seek reappraisals following greenbelt implementation and did not expect the greenbelt to affect farm sales, provided that the issue of surplus dwelling severances is resolved.” The issue of dwelling surpluses is included in—

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Hudak:** What a disappointing answer from the Minister of Agriculture, and a diversion. He knows. He was there last night, when the Grape King tore a strip off this Premier, off this minister, off the Minister of Municipal Affairs. You heard directly from the grape growers, because I saw you getting your ear ripped off out in the hallway, and you give me that weak answer here today.

1540

You have a duty to fight on behalf of farmers. You have a duty to bring forward a plan to support agriculture in this House. We’ve heard a lot about your plans to make plans, We’ve heard a lot about your plans to make all kinds of coloured maps, but not one word of hope for our greenbelt farmers in Niagara or the greenbelt area.

Minister, are you going to do your job? Will you table a support plan for our farmers before you dare to call your legislation for a vote in this assembly?

**Hon Mr Peters:** I can’t believe the bluster from that member on the other side. He should be standing up, as I’m standing up, defending farmers in this province. We want farmers farming the land. We want farmers raising the crops on this land. We do not want farmers in this province farming pavement and raising subdivisions.

That’s why we have made a very strong commitment. We have 15 recommendations from the agricultural task force, from Lyle Vanclief and Bob Bedggood, who talked about the importance of what we can do to help improve the viability of farmers in this province. Those recommendations are going to be part of the implementation, as we move forward with this greenbelt, because this is a legacy that we need to leave behind. This is for future generations. This member would rather pave over farmland. We are not going to allow farmland to be paved over.

*Interjections.*

**The Speaker:** Order. Stop the clock. Too much grape, maybe. New question.

## POVERTY

**Ms Andrea Horwath (Hamilton East):** My question is to the Premier. Your government is completely out of touch with the poorest citizens of our province. In Hamilton, where I come from, 100,000 people are living

below the poverty line. That’s one in every five people. One in every four children is living in poverty. Some 5,000 families are on waiting lists for affordable housing. These people are living lives of grinding poverty.

You talk about tough choices. What about having to make a choice of whether to put food on your table or a roof over your head? What about the choice of whether you can put clothes on the backs of your children? How can you pat your collective backs as a government and say you’re doing a good job with the economy of this province while all the evidence is showing that you’re failing our most vulnerable citizens in Ontario?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Community and Social Services.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women’s issues):** I appreciate the question from this member, who I believe is genuinely concerned about vulnerable people in Ontario.

I had an opportunity this afternoon to speak with ISARC, one of many, but a very strong advocacy group that also works with people who are vulnerable. I had a chance to chat with them today about what we’ve done in the year that we’ve been the government.

Let me say that in our first budget we were prepared, for the first time in 11 years, to increase social assistance by 3%. We recognized the problems with our system of delivery, so we came forward this fall with special-benefit payments. We knew we could get help to people right away through that method.

We also provided in this budget a 3% increase to domiciliary hostels, to special care homes, to personal needs allowance, to social service agencies across the board who help people. My colleagues provided \$25 million for children’s mental health agencies, growing to \$36 million next year. The minimum wage is moving for the first time in a decade in this province.

That is the beginning of what we have been doing.

**Ms Horwath:** Again to the Premier: The bottom line is that anti-poverty organizations, faith groups, the labour movement, community coalitions and seniors’ organizations have been giving this government a failing grade when it comes to addressing poverty. The Ontario Coalition for Social Justice, in fact, has released a poverty report card and give you a D+. They say, “One year after the Liberals were elected, poverty is a bigger crisis than ever in Ontario.” They go on to say, “People elected the Liberals because they wanted to see a fundamentally different Ontario, one that ... started to fix the gaping holes in the social safety net. Unfortunately, the Liberals have not given us real change, just spare change.”

In Hamilton and across Ontario, you’ve let down the poor. Your half measures and token gestures just aren’t helping. How can you say you’re doing a good job managing the economy when all of the evidence shows that you’re failing our most vulnerable citizens so badly?

**Hon Ms Pupatello:** I find it a little bit surprising that the member for Hamilton wouldn't understand that this government, not just my ministry, specifically looked at Hamilton and dealt with its mayor, Larry Di Ianni, and came forward with \$19 million, much of which is additional social service costs, because we recognize the economic conditions in Hamilton and the challenges that they are facing.

We, unlike previous governments, are prepared to stand behind our cities and municipalities that need a partner at Queen's Park, not like the previous government, which was prepared to download on these communities.

Hamilton, of all communities, knows that the Ontario government is right there. We will be there. We look forward to working with this member to come forward with great initiatives throughout the term of the McGuinty government.

### DOMESTIC VIOLENCE

**Ms Judy Marsales (Hamilton West):** My question is for Minister Pupatello. As you mentioned in your statement, November is Wife Assault Prevention Month. I'm so proud of this government's commitment to the prevention of domestic violence in Ontario and the steps we've taken so far.

I was deeply touched last year when Claire Freeman, executive director of Interval House, a women's shelter in my riding of Hamilton West, visited with me. She arrived with the largest bouquet of daisies I had ever seen and told me that each one of those daisies represented a woman who had died at the hands of an abuser in the Hamilton area. The emotional experience deepened even further for me when I was told that the Liberal Party had been the only party to raise the domestic violence issue in the campaign.

My question to Minister Pupatello is: Can you please tell me and this House what kind of a difference this new program and this commitment of \$3.5 million is going to make in the lives of the women and children fleeing domestic violence?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Thanks so much to this member who works diligently every day to assist agencies in her Hamilton community.

Let me say that on Monday, I was very pleased to be in Ottawa to release information about the provincial investment of \$3.5 million to create and enhance the transitional and housing support program, which goes a long way to helping women get back on their feet.

As the member knows, Hamilton agencies have benefited from \$100,000 that will go directly to on-line support for women and their children, many of whom have been broken and need help getting back on their feet, to determine housing requirements, to assist in getting their kids back to their own schools, to helping women return to work and to developing safety plans that

actually work. This is the kind of stuff that the investment is going to make perfect use of for the health and safety of our women.

**Ms Marsales:** This is certainly a great step. I look forward to hearing more about the domestic violence action plan later this month.

In Hamilton, several agencies received good news, including a second-stage provider. Phoenix Place, Martha House and the Centre de santé were given a total of over \$100,000 new, annualized dollars for the transitional and housing supports program in my community.

But we acknowledge that there is still a lot more to be done. Some agencies, like second-stage providers, are concerned that they did not receive more. Can you tell me how you decided to allocate the \$3.5 million? Were there any priorities that you felt needed to be addressed with this funding, Minister?

**Hon Ms Pupatello:** Let me say right off the top that we understand that \$3.5 million does not completely cover the requirements that we have for supporting women and their children who have suffered at the hands of domestic abuse.

1550

This is a beginning. This is our first year. We are completely changing the attitude about the role the Ontario government will play with our partner agencies, in particular in the women's sector. In this regard, what we did with \$3.5 million is focus on areas that are extremely high-need; for example, the aboriginal community, women in the north, our new Canadians, francophone women. We have a real dearth of services available in the francophone community, and we've got to be focused on that.

Yes, we did use the weighting system in this kind of delivery and allocation of funding. I'm very pleased to say that at the end of this month, we'll be able to lay out an entire domestic violence action plan, and we know people will be happy with that as well.

### RIDEAU REGIONAL CENTRE

**Mr Norman W. Sterling (Lanark-Carleton):** I'd like to ask a question to the Minister of Community and Social Services about Rideau Regional Centre in the town of Smiths Falls. It is home to 435 severely challenged adults. You recently received a letter from a brother of a resident at the centre after you announced the premature closing of this facility. He was writing about his brother, who I shall call Jean. Jean is 57 years old. He has lived there for over 50 years. Jean's brother writes: "To suggest that many of the residents of these facilities such as my brother can be moved to community-based residential settings is an indication of complete ignorance of the condition of these people."

This gentleman goes on to describe how family members received a question-and-answer bulletin implying that families could "have their family member move in with them." He writes, "When I read that, I didn't know whether to laugh or cry.... I know of no other facility in eastern Ontario that can provide my brother and his



fellow residents at the RRC the level of care" they are receiving at this time.

Minister, Jean's friends, the people he trusts and loves, are all at Rideau Regional Centre. Why would you separate these most vulnerable people in our society from the only security they have or will ever have?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I'm very happy to deal with this issue. While I can't speak to this particular case, I will tell the honourable member opposite that I do read all the letters I get, in particular letters over this matter. This is a very emotional and difficult matter for many families across the province, representing and related to the 1,000 people who are in three facilities still in Ontario.

As this member understands, since 1987 every single government—the Liberals, the Conservatives, the New Democrats—have all successfully moved forward to close facilities in the province. We have come to a point, since 1987, where we are now at the remaining 1,000 residents who are in the facilities.

What I recognize is the fear and the challenge it will be for us to be certain that no one individual will be moved into the community until they have the appropriate levels of support. That family plan will be developed with the individual, where that's appropriate; with their family members, if they still have family; with the staff who are at these centres, and the member opposite knows the staff are tremendous.

I look forward to working with this member, because these will be challenging times for these families, and we're prepared to work to make this happen well.

**The Speaker (Hon Alvin Curling):** That's the end of question period.

**Mr Sterling:** On a point of order, Mr Speaker: I would like to ask for unanimous consent to put my supplementary question.

**The Speaker:** Is it the pleasure of the House—I heard a no.

**Mr Sterling:** On a point of order, Mr Speaker: Why would a Liberal minister oppose a question about a very vulnerable individual?

**The Speaker:** That is not a point of order, but I wouldn't know.

## PETITIONS

### CHILDREN'S HEALTH SERVICES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas, the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I support the petition and sign it.

### OMERS

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition with hundreds of signatures. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas OMERS is the pension plan for 98,000 current CUPE members who work in municipalities, electrical utilities, school boards and children's aid societies;

"Whereas the recent OMERS investment in Borealis has been quite costly to OMERS;

"Whereas CUPE and the Coalition for Pension Fairness have argued for many years that OMERS should be jointly controlled by the groups representing the employees and employers, as opposed to control by the provincial government;

"We, the undersigned, members of CUPE Local 2316, petition the Legislative Assembly of Ontario as follows:

"That a table be provided where the employer and union stakeholders of the OMERS pension plan can negotiate genuine joint trusteeship;

"That CUPE's suggestion that the board retain an independent auditor to prepare an independent report, to be made available to all stakeholders, concerning the establishment, operation and winding up of Borealis,

including its shareholdings, governance and relationship to OMERS, be placed before the OMERS board of directors."

### ANAPHYLACTIC SHOCK

**Mr Kim Craiton (Niagara Falls):** My petition is addressed to the Legislative Assembly of Ontario.

"Whereas there is no established province-wide standard to deal with anaphylactic shock in Ontario schools; and

"Whereas there is no specific comment regarding anaphylactic shock in the Education Act; and

"Whereas anaphylactic shock is a serious concern that can result in life-or-death situations; and

"Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

"Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

"Therefore be it resolved that we, the undersigned," request "that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan."

I'm pleased to affix my signature to this petition.

### HEALTH CARE

**Mr Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services."

I affix my name in support.

### CHIROPRACTIC SERVICES

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario Health Insurance Plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services in the best interests of the public, patients, health care system, government and the province."

I send this to you, Speaker, by page Norah.

### PER DIEM FUNDED AGENCIES

**Mr Frank Klees (Oak Ridges):** I have numerous signatures on this important petition.

"To the Legislative Assembly of Ontario:

"Whereas over 4,000 vulnerable children, youth and adults are provided with high-quality services in residential care and treatment homes in the province of Ontario, including those individuals who are medically fragile, developmentally handicapped, autistic, physically abused, neglected, conduct-disordered, young offenders, emotionally disturbed; and

"Whereas over 4,000 child and youth workers are dedicated in their profession to work with vulnerable children, youth and adults in the provision of an accepting, safe, supportive, therapeutic environment; and

"Whereas the McGuinty government's 2004 budget promised \$38 million to children's mental health services or otherwise a 3% operational increase to those agencies who have not received an increase in several years;...

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario do the right thing, help and assist the lives of the many, many vulnerable people in Ontario and include per diem agencies" in the funding through the budget. "Keep your promise and commit to the 3% increase in staff and client funding. The Parliament of Ontario should recognize that the clients and staff are all citizens of Ontario and should not be penalized by virtue of where they reside or where they may be placed."

I will personally sign this petition as well.

**The Speaker (Hon Alvin Curling):** It being 4 o'clock, pursuant to standing order 30(b), I then have to call orders of the day.

1600

### ORDERS OF THE DAY

PUBLIC SAFETY RELATED TO DOGS  
STATUTE LAW AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT DES LOIS  
EN CE QUI CONCERNE LA SÉCURITÉ  
PUBLIQUE RELATIVE AUX CHIENS

Mr Bryant moved second reading of the following bill:



Bill 132, An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act / Projet de loi 132, Loi modifiant la Loi sur la responsabilité des propriétaires de chiens pour accroître la sécurité publique relativement aux chiens, y compris les pit-bulls, et apportant des modifications connexes à la Loi sur les animaux destinés à la recherche.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I'm pleased to rise today to lead off this debate in this Legislature. It is the first Legislature in Canada to consider a province-wide debate. No state has yet done that.

*Interjection.*

**Hon Mr Bryant:** Mr Klees, on the other side, can't figure out why we're doing it, and I'm here to make the case for it. I guess the short answer is that these are dangerous dogs. They hurt people. They hurt kids. They hurt families. They hurt other pets. They're dangerous. They cause damage.

Let's start locally. Let me take you through just the last couple of months in Ontario. This is a sampling of just media reports of pit bull attacks, so these aren't the many unreported pit bull attacks that have taken place. These are the pit bull attacks that have shown up in the media.

August 15: a man attacked by a pit bull in Thorold, Ontario. August 21: a woman's dog attacked in Toronto. This lady's dog was attacked and killed on that date. She came to a round table I held in the Legislature on this. August 28: a Toronto man attacked by two pit bulls. The police had to use over a dozen bullets to put the pit bulls down.

August 30: I asked the people of Ontario what they thought about a pit bull ban. Over 5,000 e-mails later the answer was pretty clear. There clearly are many, many unreported pit bull attacks that have not ended up in the media or before a humane society or otherwise. There are people who don't go to certain parks, don't go down different streets, don't go into certain neighbourhoods because there's a pit bull in the area. There are people who have been victims of pit bull attacks. Either they, their dog or someone in their family have been victims. There was a clear answer from those thousands of people, and it's a little remarkable and, I think, very positive that so many Ontarians engaged in the debate. There was no unanimity, but the vast majority of people who e-mailed me, in any event, certainly supported the ban.

September 10, a girl was mauled by a pit bull in Chatham. September 13, a man was attacked in Chatham by a pit bull. September 16, the Toronto Sun commissioned a survey finding that six out of 10 Ontarians wanted a pit bull ban. September 18, a 10-year-old boy was chased from his own backyard by a pit bull in Atikokan. Three days later, September 21, two pit bulls killed a Jack Russell terrier in Toronto. Two days later in Mississauga, a woman was attacked by a pit bull. One

day later, a dog was killed by a pit bull near Windsor in Tecumseh. September 24, the same day, two children were attacked by a pit bull in St Catharines. Three days later, September 27, the city of Windsor bans pit bulls. September 28, a Toronto man is attacked by two pit bulls.

October 3, a woman is attacked by a pit bull in London. October 13, a man is attacked by a pit bull in Ottawa. October 14, a man is attacked by a pit bull in Morrisburg. October 15, we announce the plan to introduce legislation to ban pit bulls. Three days later, a man and a dog were attacked by a pit bull in Thorold. October 22, a chihuahua was attacked and killed by a pit bull in Toronto. October 26, this legislation was introduced.

That's two months of pit bulls in Ontario, and that is just the media reports; it doesn't include the unreported incidents.

So is it the case that these dogs are inherently dangerous, and is it the case that these dogs are a breed apart? The answer to me is in the affirmative. There's been a lot of talk about the studies that are out there. Let me say right off the bat that the Canada Safety Council is quite right: We don't have a whole bunch of forensic studies done on pit bulls in Canada. We certainly have a whole lot of attacks going on in the province of Ontario and across Canada when it comes to pit bulls. We know that.

But we do have some evidence in the United States. There was a US study in 2002 that found that 48% of serial dog attacks were done by pit bulls; 58% of rampage attacks by pit bulls; 45% of life-threatening and fatal attacks by pit bulls. That's a Washington-based research group's serial and rampage dog attack data, January 2002.

Another study—now, this one is actually cited often by people who oppose the ban on pit bulls. It is interesting that they see it as a definitive study. And yet, what does it find? One third of fatalities caused by dog bites between 1979 and 1998 were caused by pit bulls—a third of the fatalities. This is a special report, Breeds of Dogs Involved in Fatal Human Attacks in the United States Between 1979 and 1998. A number of PhDs and MDs authored it in September 2000.

There's some more. There was a study put out by the International Journal of Legal Medicine in 2002. The authors concluded in the study entitled Forensic Approach of Fatal Dog Attacks as follows:

"Pit bulls are responsible for and have the highest percentage of bites in all academic studies surveyed by a reputable forensic study of fatal dog attacks."

Bringing it back to Canada:

In Kitchener-Waterloo, prior to their pit bull ban, there were 18 pit bull incidents per year. After the ban, there has been about one a year. Since the ban was enacted, no other breed has filled in the gap in terms of providing dangerous dog bites, says the city of Kitchener.

City of Winnipeg: prior to the ban, there were 30 pit bull attacks a year, and 30 to 40 reported serious attacks of all dogs every year. Now, today, over a decade later, there are zero pit bull attacks in Winnipeg, and in the past

four years, only four to five serious attacks of all dogs. So overall dog bites dropped and pit bull bites went away. Again, refuting the argument—and there's a logic to it, but it's not borne out by the evidence—that if you ban pit bulls, that doesn't mean you're going to make communities safer. The experience in Kitchener-Waterloo and in Winnipeg was the exact opposite.

1610

A Toronto Star op-ed was authored by Howard Gerson and Dr Alan Klag. Dr Klag is a doctor of veterinary medicine. This was authored not that long ago—October 14. This article says as follows: “One study by a California State University professor showed that pit bulls were far and away a greater danger to the public than other dogs.”

I understand that the opponents of the pit bull ban—and they feel very passionately about it, and emotionally about it. I understand and I have felt that strong feeling and opposition and emotion on this. These are people who feel extremely strongly about the subject of banning dog breeds. They often will seize on a portion of one or another study and try to find an “Aha!” in it. But at the end of the day, there is a small percentage of dogs in the province that are pit bulls. This is not the predominant dog in Ontario. This is also the case in the United States. Yet they make up a highly disproportionate number of serious dog attacks and fatalities. So “low number/high attacks” spells “danger.”

So we turned to other voices, I guess, across the province, to see how they feel about the pit bull ban, because they are representative of their community, as municipalities consider pit bull bans in each part of the province. As I say, we have one in Kitchener-Waterloo. We have a ban in Winnipeg. We have a ban in Windsor. Bans are being considered in other areas across the province. Our concern was that we'd have this patchwork pit bull ban: You'd have a ban in Windsor but no ban in Chatham, so all the pit bulls from Windsor would get adopted over to Chatham and you'd have this large pit bull population there. We don't want pit bull havens. If these dogs are dangerous, if municipality after municipality, if mayor after mayor, if chief after chief, if expert after expert, if parent after parent, if victim after victim say that these dogs are inherently dangerous, then surely it is incumbent upon the province of Ontario not to simply say, “Well, we'll just let this be a local decision and let this public safety issue be put in place in some parts of the province but not in others.” Surely it's incumbent upon us to say that we need this public safety measure across the entire province, and that's what we're here to debate today.

Here are a few endorsements of the pit bull ban. I have no doubt we'll hear from the other side too.

A Globe and Mail editorial, October 18, 2004: “Yes, implementing the ban will be difficult. Public safety is worth the effort. It's a move long overdue.”

The London Free Press: The government's “strong stand in announcing legislation to ban pit bulls in Ontario shows courage and resolve—and removes the burden

from Ontario's municipalities to deal with a pervasive issue on a piecemeal basis.” That's October 16, 2004.

A columnist in the Toronto Sun on October 16 said this: “It's taken much too long to happen, but [the] Attorney General ... is doing the right thing to ban pit bull dogs throughout Ontario.... So he and his Liberal government should be congratulated for doing what should have been done years ago.”

Toronto Star, October 16, Jim Coyle: “Whatever the decisive factor or factors, the days of pit bulls in this province and in this city's streets and neighbourhoods are numbered. Hallelujah!... Amen. And good riddance.”

The Peterborough Examiner: The “announcement yesterday that legislation banning pit bulls will be introduced this fall shows that at least one level of government is serious about protecting the public from vicious dog attacks.”

I've got some more. Hamilton Spectator, mid-October: “Clearly, it is in the public interest to eliminate pit bull attacks.... [The] provincial Attorney General ... has rightly approached this issue from the province-wide perspective with a view to avoiding a patchwork of bans.... Given that pit bull attacks have continued to occur despite public outrage, it seems the province must step in to ensure public safety because many pet owners either can't or won't. The broader public interest is well served by the proposed ban.”

Brampton Guardian: “[W]e fully support” the provincial government's “pledge to ban pit bulls in the province. This legislation should be seen as a proactive step to keep Ontario residents, mainly children, safe from horrifying attacks from dogs that are predisposed to them.” That's the Brampton Guardian, October 17.

It's not just the editorial writers and opinion makers; it is elected representatives across the province, from Windsor to Wawa, mayors and councillors whom I've spoken to, who feel that this measure is necessary province-wide.

Chief Julian Fantino said that this legislation that we are proposing, introduced by the government, “makes our playgrounds, sidewalks and neighbourhoods safer. It is clearly in the best interest of public safety and it will help to protect our officers, who face these vicious animals when carrying out their duties.” That's Chief Fantino.

We heard from Chief Fantino. We heard from officers in Toronto, in Kitchener-Waterloo, in Ottawa and other communities. Again and again, we heard that these dogs pose an enormous danger to police officers. There was a consensus that one or two bullets just wasn't going to do it for these dogs. When you hear that, you think, “What? One or two bullets isn't enough to put these dogs down? What are these dogs doing walking the streets of Ontario?” Well, other people agreed.

Mayor David Miller of Toronto said, “I support the province's swift action. This problem is not exclusive to any single municipality; it is a province-wide issue and, therefore, the best solution is a province-wide strategy to keep Ontarians safe from dangerous dogs.”



Mayor Carl Zehr of Kitchener said, "Since our ban, Kitchener has seen a dramatic decline in the number of pit bull attacks from 18 to about one per year. Every Ontarian, in every city across Ontario, deserves the same level of safety that we have in Kitchener. That's what this legislation would do."

Chief Vince Bevan of the Ottawa Police Service said this: "In Ottawa, there have been 15 incidents involving pit bulls since the beginning of 2003 where police have had to intervene, and this does not count incidents dealt with by bylaw enforcement officers." These bylaw enforcement officers just can't take on these pit bulls. They need multiple bullets to be put down. "I welcome the government's legislation which, if passed, will provide us with the additional tools we need to deal with often terrifying dog-related incidents and to hold owners accountable."

Lastly, from the first city in Canada to embark on this ban, the city of Winnipeg, which has had the longest experience—I think it's 14 years with a ban. Tim Dack, the chief operating officer of the animal services agency of the city of Winnipeg, said this—and I should point out that he actually came to Toronto and attended at a round table and participated in this. He feels so strongly about this public safety issue. Here's what Tim Dack said: "Our experience in Winnipeg has been one of success. We have seen the number of pit bull incidents decline dramatically since introducing a pit bull ban 14 years ago. I applaud the government of Ontario for their decision to ban pit bulls and deal with this urgent public safety issue."

Last one. I mentioned Wawa. Rod Morrison, the mayor of Wawa—there he is; MPP Mike Brown is applauding—here's what Rod Morrison had to say: "I commend the McGuinty government for moving forward quickly on this very important initiative. Protecting the public from the menace of pit bulls and toughening up on owners of dangerous dogs that attack is in the best interest of all people, in every town, city and community across Ontario." That's Rod Morrison.

Again, I'm not suggesting for a moment that there is unanimity, but certainly police chiefs and mayors—you know what? There is one more I wanted to mention, because this is important. This is an issue that I want to get into a little bit more and I will get into a little bit more, but I just want to speak for a moment to the issue of municipalities and how we're going to implement this, and so on.

This government decided that we needed a new deal with cities, that we needed to work with cities like never before, that the 1867 version of municipalities was not the 2003-04 version of municipalities. So we struck a new deal with cities. We said to the city of Toronto, "We understand that the GTA is larger than any province in the country, next to the rest of Ontario and the province of Quebec. This is a very large city in one of the most developed countries in the world. We've got to make sure that this city is given the respect and powers that it deserves."

1620

We said to the Association of Municipalities of Ontario, "If we're going to deal with issues, if we're going to deal with municipalities, we've got to have an understanding whereby we, in fact, sit down and work with you."

Here's what the president of the Association of Municipalities of Ontario, Roger Anderson, said—Mr Anderson and I have had many, many conversations. I've had a number of conversations with members of the board of AMO. We've had many meetings with the officials of the Association of Municipalities of Ontario because we want to work with them and treat cities as we should because we're going to have to do this one together.

Here's what Roger Anderson said: "AMO appreciated an opportunity to advise the minister on how to implement the province's pit bull ban in a manner that is practical, effective and affordable for Ontario municipalities, and we know that the minister will continue to work with us as the legislation proceeds." Surely, we will. The cities are working with us. The municipalities are working with us. The councils are working with us. The officials are working with us. Similarly, we also want to work with the humane societies, the SPCA, dog trainers and veterinarians. Why? Because we need to do this together.

Did we hear from those people? It's interesting: One of the complaints about the government's action was that we moved too quickly. Let me start by saying that once the government recognized that this was a serious public safety issue, and once the government made the decision and was of the belief that these were inherently dangerous dogs, it was incumbent upon us to act quickly. Did we hear from people and experts along the way? Of course we did, and I'll speak to that. That said, rarely do you get people complaining that a government moves swiftly on a public safety issue. The crisis was very much before the people of Ontario for many, many years.

Ten years ago, a young girl in a stroller had her face mauled by a pit bull. She passed out. They somehow got the pit bull off of her. That young girl was sitting in that gallery over there with her mom some 10 years later saying, "Thank goodness this ban's in place so that no other child will have to go through this again." This has been around, and it just seems to be getting worse, not better, so we need to act quickly. Once you accept that this is a serious public safety issue, we'd better act quickly.

That said, it is before the House. I am recommending to this House that the bill be accepted. There will be debate; there will, of course, be committee hearings on this; and this Legislature will decide.

Along the way, before that happened, here are some of the consultations that I did. I held a round table—I think it was in September—with a number of different voices—one of them, the National Companion Animal Coalition. This membership, the coalition, includes the Canadian Federation of Humane Societies—all of them; the Canadian Veterinary Association; Canadian Kennel Club; Pet



Industry Joint Advisory Council; and Agriculture and Agri-Food Canada. This was a coalition of all of these organizations. We got a really thoughtful, compelling presentation and submission from the coalition and certainly heard all of the arguments. We also heard from animal control officials from the city of Kitchener and Winnipeg at this same round table. We all sat around the same table, so we got to hear both sides of it. We had a representative from the Kitchener-Waterloo Humane Society. There was someone who is—I think everyone would agree—an expert in this: Cathie Cino, the director of Cat and Jack Canine Safety. She's a dog trainer, author, and behaviour consultant with aggressive dogs. She talked about her experience with those dogs. We also heard from the Toronto Police Canine Unit. They did testify to the extraordinary prey instinct of pit bulls and what they had to go through to put down these two dogs in late August in Toronto. We heard from Kitchener-Waterloo police and also from victims. We heard from a dog trainer who said, "I don't train pit bulls." "I don't treat pit bulls," say some vets, because they fear for their own safety.

I met with the OSPCA, along with Minister Kwinter, in September. We had officials; we had staff; I was there; Minister Kwinter was there. We had a long talk. We talked about the implications. We talked about the need for dangerous dog legislation, not just for pit bulls, but even more broadly, for all dangerous dogs. I want to make sure that I get to that, too.

Who else did we hear from? We received quite a thorough submission from the Staffordshire Bull Terrier Club of Canada; as well, from the Golden Horseshoe American Pit Bull Terrier Club. I spoke with the president at the time of my announcement, and my officials have been in discussion with this club's president. We met with the Royal Society for the Prevention of Cruelty to Animals in the United Kingdom, the British equivalent to the OSPCA—met with their chief officer and inspector. We met with the Denver city solicitor who has carriage of this matter, at least during the fall. We met with them constantly over the telephone, with officials in Denver, who also have this ban in place. The state is trying to fight the city ban, and I'll let that be determined before the courts of that state. We also spoke with and met with experts, breeders, trainers, animal control officials, municipal officials and the other humane societies in the city of Toronto, from Sherbrooke, again from Winnipeg, and we also received a policy submission from Manitoba veterinarians.

The consultation got to a point where it was clear to me that the position taken by those opposed to the ban started and ended with this argument: that breed bans are wrong; that you should punish the deed, not the breed. So let me speak to that. I would submit, and I think everyone would agree, that generally speaking it is true that breed bans are not the way to control dog behaviour. The question is whether or not there is an exception to that general principle. When I would put that question again and again to those who opposed the ban, the various voices

on the other side, I again and again heard, "No, there is no exception." I would ask, "Well, would you permit wolves to be put on a leash and walked around in public?" They would say, "No, no, no, we wouldn't do that, because that would be dangerous." So, the question is just this: Is the pit bull a bull or a dog? Is the pit bull a pet like every other? Is it in the same league as other dogs, or is it something that is inherently dangerous and is the exception to the rule that we don't ban breeds?

Now, to those who say that banning breeds is a short-term solution, I beg to differ on this front. Firstly, Winnipeg and Kitchener proved that it is not. It is a long-term solution to pit bull problems. If you want no more pit bull bites in a jurisdiction, then you ban the breed. That's what you do. You'll get, pretty much, no more pit bull bites. The question really becomes whether or not it's necessary. Is it necessary? Is there another means to protect the public?

I think we have to start with that presumption that we don't ban breeds. Well, the answer is this: The dog seems too powerful and too dangerous to control, to begin with. One of the complaints, by the way—one Ontarian e-mailed me and said, "Don't ask me to put a muzzle on my pit bull. Do you have any idea what that pit bull will do to me if I try to put a muzzle on him?" This proves the point. Those who held a rally outside of Queen's Park—and I very much respect democratic demonstrations voicing people's opinions and voicing people's opposition to this, but the owners said, "Please don't bring your dogs." Well, again, that says it all.

The question is: Are we going to risk those owners of pit bulls who may not comply with the muzzle requirement, who may not comply with the leash requirement, who may not comply with the recommendations of, for example, the SPCA, that it's the un-neutered and unspayed pit bulls that are the big problem—are we going to risk having these ticking time bombs out there in the province of Ontario? My argument is: No, the risk is too high. The public safety result is just too positive. You get less pit bull bites and attacks, and you won't have the fatalities and tragedies that we see all over Ontario, Canada, the world, when it comes to pit bull attacks. That will be gone. Then the question is: Well, are you going to have Rottweilers filling in that gap? Again, the experience in Winnipeg and Kitchener-Waterloo was no.

Furthermore, there isn't the same level, certainly amongst the experts that we heard from at the round table and otherwise, that the prey instinct, the power of the Rottweiler versus the pit bull—the evidence that was presented to me, in any event, was that they are just not the same.

1630

I grew up with big dogs—German shepherds. We had three in our house at one time. They scared some people, there's no doubt, when they barked and someone showed up at the door. They were trained. They never attacked. They never hurt anyone.

There are people who will say to me, "Well, you had German shepherds. Why can't I have a pit bull?" Firstly,



to owners of pit bulls today—and I think this is very important—they need to understand that the ban is not retroactive; the ban in fact has a grandparenting clause. In other words, those who own their pit bulls keep their pit bulls. Why? I just think it is humane and fair that those who bought, bred, imported or otherwise got a dog, assuming that it was legal, should be able to keep that dog. But—and there is a but—we need to impose restrictions on that dog as it travels around Ontario: muzzle, leash, spay and neuter the dogs, and municipalities may have additional requirements for these dogs under the Dog Owners' Liability Act.

But we went further because we understood, and heard from people who said this bill needs to be more than just about pit bulls. So we made changes to the Dog Owners' Liability Act that dealt with all dangerous dogs, not just pit bulls. Here are some of the new powers and provisions that are in there.

Firstly, the SPCA recommended that we've got to deal with this issue of the menacing dog. We shouldn't have to wait until the dog bites somebody before we put restrictions on that dog. We have to wait for the dog to bite somebody before we muzzle and leash that dog or require that. It didn't make any sense to me. There are some dogs that are just a serious incident waiting to happen.

Somebody from Etobicoke e-mailed me saying there was this pit bull that was always jumping up at the fence whenever her family was in the backyard, almost jumping over the fence, jumping at their dog and their kid. This is a menacing dog. This dog was an accident waiting to happen and, sure enough, unfortunately, the dog finally knocked the fence over one day and charged two children and another animal. Let's try and prevent that from happening, not just for pit bulls but for all dogs, by having a provision there that lets us intervene early, number one.

Number two, there was the unusual situation where you had some dangerous dogs, in one case two Doberman pinschers, that had caused a number of serious incidents. There had been bites, there had been attacks, and the animal control officers needed to get to those dogs. They needed to get to them and make a decision as to what to do with them; certainly muzzle, leash and maybe address other issues with the dogs. They couldn't get to them. Why? They were in a house. Every time the animal control officers came around, they'd hurry them into the house. What we heard from the experts is that we need a power to enter those homes, with a warrant, of course. So you have to go before a court and establish evidence to get a warrant that will permit you to enter the house to apprehend the animal. I think this is going to be a positive step to try and prevent more dangerous dog incidents.

We also increased the fines and, of course, the fine revenue goes to the municipalities. We increased the fines to increase the deterrence and give the powers to the court to deal with the really serious incidents. Now the fines are the highest in Canada—\$10,000—and we

included up to six months' imprisonment as the penalty. Between criminal negligence, a Criminal Code offence, where incarceration is a possible correction, through to the Dog Owners' Liability Act, there seemed to be a gap. There seemed to be some behaviour and some incidents that were so serious that they didn't qualify under the Criminal Code but they should qualify for serious punishment under the Dog Owners' Liability Act. So we did that as well.

In this bill, we also addressed the issue of identification. Again, those who oppose the ban argue, "Well, you won't be able to identify them." My shortest response would be to say that they were able to do it in Winnipeg and they were able to do it in Kitchener-Waterloo.

We used the Winnipeg definition because it seemed to be the best one. Kitchener-Waterloo officials indicated to my office, at least on a preliminary basis, that they were actually interested in adopting the provincial identification definition instead of their old definition. I'll leave that for them to decide. If Kitchener-Waterloo wishes to keep the old definition they were using, they are free to do so. Under this law, we basically permitted those municipalities that had existing bylaws on this to keep it as it was.

So we identify by listing a number of breeds and by providing a description—as best one can as legislative counsel—that captures what is a pit bull.

Those who disagree with the ban will say that there will be identification problems. I don't doubt there will be some issues on the margins, but, by and large, I think most people know what a pit bull is. The Toronto Star did a caricature the other week. They had a pit bull on it. I won't say what was underneath the caricature, but everyone who saw that picture knew, everyone who read that caricature knew what that was. That was a pit bull. It didn't say "pit bull," but you knew when you looked at it that it was a pit bull. That's what it was. I've said before and I will say again, if it walks like a pit bull, if it barks and bites like a pit bull, wags its tail like a pit bull, it's a pit bull. That is going to apply, I'm sure, to the vast majority of identification cases. That's number one.

Number two, everybody knows what kind of dog they own. Who doesn't know what kind of dog they own? If you own a pit bull, you know you own a pit bull. If you know you don't own a pit bull, then surely will you have the papers to say, "This isn't a pit bull," it's a whatever, it's something else. Everybody knows what their dog is. So if they think they've got a pit bull, then they probably have a pit bull. If they know they have a pit bull, they definitely have a pit bull. If they have papers saying it's not a pit bull but an English bull terrier, then they don't have a pit bull.

The argument opposed on identification has some logic to it, but again, it's just not borne out in the experience in Winnipeg and Kitchener-Waterloo. If you drill down, it ends up being one of those arguments used to sort of deal with the process without dealing with the substance. We are certainly going to talk about process now, in third reading as well, and no doubt during com-



mittee work. We are here to debate the bill in principle. So I hope we do get to talk about substance and not just process.

Let's put it another way: I think that if you asked the people of Winnipeg today, "Would you undo the pit bull ban? Would you say, 'Let's bring pit bulls back into the city of Winnipeg'?" the answer would be no. This Legislature is going to decide whether or not Ontario needs a pit bull ban. If this Legislature so chooses, I doubt that 10 years from now the people of Ontario are going to suggest that we want to bring back pit bulls into the province.

I say to those people who are responsible owners and look after their dogs, whether they be pit bulls or not, you will, I know, enjoy your dogs. You will, I know, in many cases, muzzle and leash them. You will, in many cases, have spayed and neutered them because you are responsible owners. I say to those pet owners who oppose this ban that I hope you can accept that your pet, whether it be a pit bull or not, is going to be in a safer community in Ontario once this pit bull ban comes into effect, because the existing pit bulls will be subjected to certain restrictions and there will be no future pit bulls.

I think this is an important public safety issue. I know some people on the other side like to joke that this isn't an issue that should be addressed by the government. But I just read through the litany of attacks, bites and serious incidents involving pit bulls, and I say that if there was an issue where there was a pesticide or a chemical that was wreaking havoc on a community like pit bulls have wrought upon Ontario, everybody would say, "We've got to do something about that pesticide." Interestingly, we find ways through legislation to define these pesticides, chemicals, narcotics and other dangerous substances.

1640

The question is, is this dangerous? I say there is little doubt that in fact the studies, the statistics, the experience, the voices of Ontario and our own living experiences and observations demonstrate that this is a serious and dangerous dog, and I think that compels legislators to act upon it. We may not all agree on it. I look forward to hearing from the official opposition on this. I confess I don't know what their position is on this bill, so I'm going to listen very carefully and closely to see if the official opposition supports this. I always look forward to hearing from Mr Kormos, the Attorney General critic and an MPP, I might add, who has had people in his constituency who have faced pit bull attacks that I mentioned over the last couple of months.

I look forward to a debate on this. It is the first of its kind in North America in terms of the breadth of the ban. But I think we're showing some leadership here. I think we are going to make Ontario a safer place. I think we are working with municipalities in such a way that we don't dump the responsibility of the ban upon them in a way that creates a patchwork across Ontario. I think—I hope—we have our eyes wide open in terms of any possible improvements to the bill. I certainly always appreciate any suggestions along those lines. I look forward

to the debate, and I really believe, and I say to all members of this House, that if we pass this bill, we are going to see a safer Ontario.

I'm sharing my time with the member from Willowdale, Speaker, so I'll sit down now.

**Mr David Zimmer (Willowdale):** We have heard from the Attorney General on the tremendous public support for this piece of legislation. We've heard about the tremendous sense of need out there in the community for this legislation, we've heard about the detailed consultation process that the attorney's office has gone through in arriving at this legislation, and we've heard the attorney make the point very eloquently about the qualitative difference between pit bulls and other breeds of dogs.

I want to speak to what I will describe as the very reasonableness of this legislation when you think carefully about it. I speak to the matter as a dog owner myself. I've had dogs at home since my infancy. I've had dogs right through and continue to have dogs, all manner of dogs—large dogs, small dogs, farm dogs, German shepherds, Labrador retrievers. This is a reasonable piece of legislation. I say that because we are asking pit bull owners to protect and save children walking in parks, citizens walking down the street, senior citizens sitting on the park bench, to protect the public from vicious, unprovoked, unexpected pit bull attacks by doing the following. And I think you have to keep this in mind, because if you bear it in mind, I'm sure you will agree with me about the reasonableness of the legislation. All the legislation does is say to a pit bull owner the following:

First of all, it lays out the groundwork. It says, if the legislation is passed, you can't import pit bulls any more and you can't breed pit bulls any more. The breed will naturally phase away.

Now, in the meantime, what are we doing to respect the rights of responsible pit bull owners, pit bull owners who have their dogs, have a relationship with the dog, who love the dog? All we're asking the pit bull owner to do is three or four simple things.

We're asking that pit bull owner, if you want to keep the pit bull, will you put a muzzle on it? Is that a big deal? Is that a big expense? The next thing that we're asking pit bull owners is, if you want to keep your pit bull, will you keep it on a leash out in public? Is that a big deal? Is that a big expense? And the third thing we're doing is we're asking pit bull owners, if you want to keep the pit bull, please have it spayed or neutered." I can tell you that my office has canvassed veterinarians here, and the average cost of having a dog spayed or neutered is probably in the order of \$150 to \$200.

Those three things that we're saying to existing pit bull owners—"If you want to keep your pit bull, keep it on a leash, muzzle it, and will you please get it spayed"—are not unreasonable intrusions on a pit bull owner. They're not unreasonable when you balance, on the other hand, the great harm that pit bulls are capable of and have done, a harm which can be prevented by simply investing a few dollars in a muzzle and a leash and \$150



or \$200 to have your pit bull spayed. Then you can keep the pit bull, and the pit bull can live out its natural life with you, and the breed will naturally die out because you can't import it or breed it.

A government has a responsibility to protect all of its citizens. In the act of protecting all of its citizens, it has to enter into a decision-making process where it has to weigh the pros and cons. It has to ask some citizens to do certain things and ask other citizens to refrain from doing things. But we ask the citizens to do that because we want something that's best for the greater good.

When you reflect honestly and sincerely on the minimum requirements that in fact we're asking pit bull owners to do, they're not onerous and they're not unreasonable. They go a long way to protecting people from being viciously attacked by pit bulls. Hopefully, if they'll do those three or four simple things—a few dollars for a leash, a few dollars for a muzzle, \$150, \$200 to have your dog spayed—pit bull owners can enjoy pit bulls, and the citizens of Ontario can walk the streets without that shudder of fear up their backs as they enter a park or are on a sidewalk and see a pit bull approaching them.

In all the circumstances, the legislation is reasonable, it's responsible and it's the right thing to do.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm doing the lead for the official opposition shortly, but I want to say in response to the Attorney General and his parliamentary assistant that our party shares the Attorney General's and the public's desire to stop attacks by dangerous dogs. Having been a victim of a dog attack myself, I express my sympathy to all victims of dog attacks.

We have concerns about how the Attorney General went about developing this bill and the lack of details on enforcement. It has not been totally thought through, because there are fundamental questions that the Attorney General cannot answer which undermine the legitimacy of this bill.

We agree that a new approach is needed to protect the public from dangerous dogs. But the fundamental question is, is this bill the right approach? It is our job, as the opposition party, to make sure the law is clear, effective and credible. This bill leaves more questions than it answers. We intend to pursue these questions to see that the law is ultimately solving problems and not creating them.

I'm very pleased to hear the minister say today that he has committed to public hearings with respect to this bill. I think that's what is necessary and that's what is important whenever you're dealing with law: to make sure that it is legitimate, that it has the support of the public, and, where there are other ideas and thoughts out there, that everybody gets a chance to be heard. I think the Attorney General recognizes this and recognizes that public hearings are very important.

I have a number of questions, and I'm looking for answers. I hope the Attorney General can answer those questions because it's very important to make sure that this bill is legitimate and credible.

1650

**Mr Peter Kormos (Niagara Centre):** Unfortunately, I won't be able to speak to this bill with the NDP leadoff this afternoon. I look forward to the opportunity to do that.

I encourage the Attorney General to use his influence over his House leader to ensure that this bill is called again soon so that second reading debate can continue. My best information at this point is that it is not scheduled for further second reading debate—not next week, of course, during constituency week, but the week after that.

The Attorney General knows full well—I have spoken with him about this. I have spoken with him about what the NDP's position will be about our call for public hearings. That's number one.

There are, indeed, questions to be posed. I hear the Attorney General. I listened very carefully to his comments. I would like to understand why it is that in the context of the Attorney General's comments, the Ontario Veterinary Medical Association opposes breed-specific bans. I would like to know why. I would like an opportunity to ask them as experts why breed-specific bans don't work.

I would like a chance to ask the Canada Safety Council, an authority, why they would say breed bans "should not be used as a quick fix. The solution lies in a combination of effective animal control measures, reputable breeders, responsible owners, public education" etc.

I would like to ask the OSPCA, the Ontario Society for the Prevention of Cruelty to Animals—and ensure that other members have a chance to hear from them as well—why the OSPCA, on September 3, would say, "The Ontario SPCA strongly believes that any breed-specific ban would not be an effective solution."

It is imperative that this not be a knee-jerk and thoroughly and solely emotional response to what is a very emotional issue, certainly for victims of dog bites and certainly for dog owners. New Democrats insist that the debate be full and that the consideration be of the data and evidence before any final decisions are made.

**Mr Tim Peterson (Mississauga South):** It's a pleasure to rise on this issue. This is a difficult issue for those of us who have grown up with animals, love animals, have interacted with animals and had our children interact with animals.

In my youth, I spent a long time on a farm, and we had a beloved farm dog that was actually capable of living off the land. Unfortunately, one day that dog was put near a young child, snapped at the child and severed its tear duct. It broke our hearts. We had to keep that dog restrained, although we thought it was the most gentle, tame dog.

I've had other experiences where I've seen dogs turn without call. The pit bull itself is probably not the most dangerous dog, except for the phenomenal jaw pressure it



has. Its jaws have one of the highest pressure points of any dog around. I, who have witnessed many dogs turn and be violent, am concerned not just about the pit bull but about all dogs.

While I personally am a dog lover—I have dogs and I raised my children with dogs—the overwhelming evidence from all places is that this dog is a very dangerous dog. One child attacked, one person killed, are too many for a breed of dogs.

So it's with some regret and some hesitation that I support this, but this is excellent, safe legislation. This is what a government is empowered to do: to protect ourselves. It's wonderful to be able to stand and rise and support Mr Bryant and this legislation.

**Mr Jerry J. Ouellette (Oshawa):** I very much appreciate the opportunity to speak today. First of all, let me point out, would I own a pit bull? Would I own that breed? I'm from Oshawa and I don't drive a Ford. No, I would not own that breed.

But quite frankly, when the minister spoke, he went over a large number of concerns and problems here. He talked about media report after media report, yet where is the verification of those? I'm sure if you looked at those media reports and actually got down to it, a lot of those would be one of the bull terriers that were mentioned earlier on. It's the same with the police reports: How many of those were verified as an actual pit bull?

The difficulty here is that breed-specific—what about the Japanese fighting dog, the largest dog in the world, or the German hunting terrier, the Jagdterrier, which is listed in the books as not recommended as a family dog? What about all these other breeds that are out there?

Certainly the minister has done a great deal of research and had meetings. He's met with jurisdictions, people and organizations, clubs and groups, and the list goes on and on, yet we still have sex offenders walking around in Cornwall. There's a lot of other priority legislation that needs to be dealt with, as opposed to pit bulls. Yes, I've received a number of inquiries regarding this and my position on it.

I've got two sons. Garrett's scar on his back is from a black Lab bite. Josh's scar on his lip is from a basset hound bite. There are certainly a large number of other actions—and it's not so much the breed, but the way the breed is held and the individuals. If you talk to police officers who are on the forces about what takes place, “Yes, a lot of them come forward and say pit bulls are bad, but also”—and Fantino would be one to point this out—“those individuals who will lose their pit bulls in this situation will replace them with another breed, whether that's a Doberman or a Rottweiler, one of the other shepherds or all the other ones.” If you talk to the Durham Regional Police—as a matter of fact I spoke with the retired deputy—the number one dog bites in the region of Durham are Lab bites, and the list goes on.

There are certainly a lot of questions that need to be answered.

**The Acting Speaker:** The government side has two minutes to reply—one of you does.

**Hon Mr Bryant:** I thank the members for Oshawa, Mississauga South, Barrie-Simcoe-Bradford and Niagara Centre for their comments. Did I get everybody?

A couple of things in two minutes. As to the allegation of a quick fix, this isn't a quick fix; this is a permanent fix. This isn't quick. This is done—banned, banned. There won't be any pit bull incidents. There won't be any significant pit bull incidents. There won't be a number of pit bull incidents if you ban them because there won't be any of them. So it's not a quick fix; it's a permanent fix.

The member for Niagara Centre asked if it's effective. It's effective. As I said, in Winnipeg: 30 pit bull incidents a year; today zero, pretty much. There's no doubt that it's effective and there's no doubt it's a fix.

The debate before us is a serious debate. I say to my friend Mr Peterson that he's right; it's not an easy decision. It's the exception to the rule but it's an important one. It is effective. It will make our communities safer. There's no doubt that our communities will be safer.

The question was whether or not the exception is here. I've tried to present the evidence that it is here. So far I'm hearing process arguments, that we didn't consult enough, from the official opposition. I went through the consultations. But anyway, this Legislature is now being consulted and we will have this debate. I look forward to hearing a definitive position from the official opposition—do you support the bill or not?—but along the way they will ask some very important questions.

**The Acting Speaker:** Further debate?

**Mr Tascona:** I'm very pleased to lead off for the official opposition with respect to this bill brought forth by the Attorney General. I want to express again that our party shares with the Attorney General the public's desire to stop attacks by dangerous dogs. We have concerns about how the Attorney General has gone about this. He's got a plan, but the question is, will it work? On developing the bill and the lack of details on enforcement that I've previously mentioned in questioning the Attorney General, we still do not have those answers. I still believe it's legislation that's not thought through. There are fundamental questions that the Attorney General cannot answer which undermine the legitimacy of the bill.

I want to quote, “I can only say that my own personal political philosophy leads me to believe that in the very fast-moving times in which we live, the government policies and actions need to be to be continuously reviewed, revised and rethought. I have never believed that any one man or one group had a monopoly on ideas, and I firmly believe it is necessary to provide opportunity for new approaches to be made available.” That quote is taken from John Robarts, the former Premier of Ontario, when he was leaving office as Premier.

I agree, and we agree as an official opposition, that a new approach is needed to protect the public from dangerous dogs, but the fundamental question is, is this bill the right approach?

As I said, it's our job as the official opposition to make sure that the law is clear, effective and credible, but this bill leaves more questions than it answers. We intend



to pursue these questions to see that the law is ultimately solving problems and not creating them.

1700

I want to take a look at the legislation, because I want to focus on a number of clauses that have been put into this bill. The definition clause is the first one. How are we ever going to know what a pit bull is and what it isn't, based on that definition?

What is fundamental here is that under subsection 1(2) it says a "pit bull" includes,

"(a) a pit bull terrier,

"(b) a Staffordshire bull terrier,

"(c) an American Staffordshire terrier,

"(d) an American pit bull terrier,

"(e) a member of a class of dogs that have an appearance and physical characteristics that are substantially similar to dogs referred to in any of clauses (a) to (d)."

That is going to pose a very fundamental problem.

What's more fundamental is how the Attorney General, in putting it together, is going to try to enforce this bill about pit bulls. He intends to do it through section 19, through the onus-of-proof provision in court, which reads, "Identification of pit bull." Now, I have just read the definition of what a pit bull is under this legislation. This provision states, "If it is alleged in any court proceeding under this act that a dog is a pit bull, the onus of proving that the dog is not a pit bull lies on the owner of the dog." So if you have a bylaw enforcement officer out there who has no real experience of what a pit bull is, the breed or whatever, who says, "I'm charging you because your dog is menacing"—that's one area that I'm going to get into, because that's very vague and it is going to cause a lot of problems, as to what a menacing dog is. If the bylaw enforcement officer says, "That dog is a pit bull," then, after he charges the individual, it is up to the individual to prove that it is not a pit bull.

In my view, it is a reverse-onus provision to say, "We're charging you that that is a pit bull, and it is up to you to prove it is not a pit bull." I would say to you, Mr Speaker, because of the punitive aspects of a bill such as this in terms of remedial, where you can have a fine or you can go to jail, that I believe this reverse-onus provision will be challenged under the charter. I believe that in this type of situation the law may not stand up to a charter review, because, quite frankly, a reverse-onus provision puts it on to the person who is being accused to prove that they're not guilty. Well, it's up to the crown to prove that you are guilty. You are presumed innocent until you are proven guilty. That is the fundamental axiom we live by in this type of society. That is the fundamental axiom this Attorney General is supposed to uphold, the rule of law. By having a reverse-onus provision in this statute, I believe he is not only short-circuiting the process but he is also denying due process to the individuals who deserve it. I think he's going to have a problem there. I think he is going to have to come up with a solution to deal with a reverse-onus provision with respect to a definition that arguably is very difficult to understand, very difficult to interpret.

The other part of the statute that is troublesome in terms of this is subsections 1(5) and (12). It deals with proceeding against an owner of a dog. Under (b) it says, "the dog has behaved in a manner that poses a menace to the safety of persons or domestic animals." It goes on about, you know, menacing. I don't know what "menacing" means. I think it is obviously going to be determined by a court based on the facts, whether there was a menacing situation or not. Would the test be that your life is at risk, or is it a test that you are going to face injury and it's imminent? Imminent danger, is that the test? I don't know what they're going to consider.

What is fundamental here is the penalty for the dog. Under subsection (8) it says, "When, in a proceeding under this section, the court finds that the dog is a pit bull..." Remember, you're going to court and you're trying to defend yourself. A bylaw enforcement officer says, "That's a pit bull." You're saying, "No, it's not a pit bull." You can't prove it's not a pit bull, so it's a pit bull. In this section it says, "...and has bitten or attacked a person or domestic animal, or has behaved in a manner that poses a menace to the safety of persons or domestic animals, the court shall make an order under clause 3(a)."

An order under clause 3(a) is very simple: The dog is destroyed. So we've got a provision in here that really is going to have to be interpreted. It's going to be very confusing to dog owners and it's going to be difficult to enforce, I would put to you, in terms of what is a menacing situation. Is it imminent danger or is it some other standard?

The real problem, with respect to this legislation, is not only trying to understand what the minister is trying to accomplish with respect to how he defines pit bull and how he puts the onus back on to the dog owner, it is how are we ever going to know, as I said, what a pit bull is and what it isn't, based on this definition?

We also have to cope with this: As to all the pit bulls that are going to be turned in, how are we going to deal with that? Where are they going to be looked after and who pays? The minister has not answered those questions. He has no solution to that because he doesn't know. He hasn't consulted enough and he hasn't practically thought through this legislation in terms of what is going to happen to these animals, based on the way he's going about this legislation.

Looking at the legislation as it currently stands, there are a lot of unanswered questions. From a constitutional point of view, the reverse-onus provisions are going to be challenged. I would say that, from the charter's point of view, I think the minister is in trouble with respect to enforcing that provision. He's going to have to give those accused much greater rights than what he is bringing about.

In effect, what he is doing is indirectly—he wouldn't come out and say, "If your dog bites, you are guilty", making it a strict liability offence. He wouldn't do that because he understands that there always is a defence of due diligence. What he's saying is, "We charge you and we say your dog is a pit bull. Your dog is a pit bull unless



you prove otherwise.” So if you can’t prove your dog is not a pit bull, then, quite frankly, it’s going to be very difficult to deal with. What is going to happen is you’re guilty if you can’t prove your dog is not a pit bull. I thought it was up to the crown to prove the crime: number one, that you’ve got a pit bull; number two, that your dog has done something that is an offence under the act. That’s not the way the Attorney General is going about it.

I want to deal with some other matters with respect to the legislation in terms of enforcement. I’ve said this before: The issue is how to protect the public from dangerous dogs in general. Is the Attorney General proposing a good long-term solution? He says he is. But banning the pit bull breed will not protect the public from other aggressive breeds such as Rottweilers, Dobermans and Akitas. What will be the criteria in the future for banning other breeds? Italy has banned in excess of 90 breeds and has not solved the problem of dangerous dogs.

The Attorney General says this comprehensive approach of a provincial ban will avoid a patchwork of bans by municipalities. Municipalities, I would argue, are capable of determining their community’s safety. There are only two communities I’m aware of in Ontario that have a pit bull ban: the city of Windsor and the city of Kitchener. I can say to the minister, we’ve got a lot of municipalities in this province, in excess of 300. I don’t know where he’s talking about a patchwork of bans. There are only two communities that have even acted on this.

1710

What municipalities need are the tools to do the job, and the criminal law has to be addressed. Muzzled and leashed pit bulls or other dangerous dogs in public is warranted, but will not protect victims from dogs that bolt from their owner’s house or property and attack a human being or other creature.

Police will not charge criminally unless it be proven that the dog owner was negligent. As I said before, there were no charges laid by the OPP in a recent pit bull attack in my area, where the dog bolted from the house, killing a small dog, because they could not prove the owner’s negligence.

The Dog Owners’ Liability Act does not impose strict liability offences on a dog owner whose dog bites, attacks or poses a threat to public safety. There is always the defence of due diligence. So heavier fines and jailing of dog owners are meaningless tools to protect the public if a dog owner cannot be held accountable under the law for their dog’s actions. To handle a dog that attacks is not a crime under current laws, nor should it be.

The Attorney General’s solution to ban one dangerous breed, the pit bull, in his opinion, across the province would then not impose strict liability offences on dog owners whose dogs bite, attack or threaten the public, will not keep the community safe from dangerous dogs in general. Unless the goal is to eventually outlaw the ownership of dogs, then the focus should also be on outlawing irresponsible breeding and breeding training

for aggression. This is where the strengthening of search and seizure powers is needed to enable the officials to enter property without a warrant under situations deemed to be emergency or in the public interest. That’s what the minister wants to do: unlimited search and seizure powers.

My question is, what’s the legality of that unlimited power? I can imagine certain crown attorneys out there would wonder how they’re going to be able to prove that what they did was legitimate. How are they going to use it? Where is it going to be used? What warrant would they use to go after a dog owner with respect to the unlimited search and seizure powers? The minister hasn’t answered that in terms of where those would be used and why they would be used.

The Attorney General has really given the municipalities no tools to deal with irresponsible dog breeders or trainers or owners, and the status quo, in essence, will continue with respect to dealing with dangerous dogs.

Looking at this, I also had some questions on the enforcement that the minister did not answer. In Hansard a week or two ago, I said, “Minister, your legislation paints responsible dog owners with the same brush as those who are irresponsible. Furthermore, you haven’t thought through how to implement and enforce this legislation. Most small towns, rural areas and even some cities have no formal animal control capabilities. In these municipalities, who are people supposed to call for help, who takes charge of the animal and, most importantly, who pays?”

The Attorney General provided no answer to that, but I suspect, in the drafting of the legislation, he has set it up so that, because of the reverse-onus provision, if someone says it’s a pit bull—and it’s up to the owner to prove otherwise—the case is settled, because the individual, if he can’t prove his dog is not a pit bull, is guilty. That’s how he gets around having a situation set up and a system set up in other municipalities that have no dog law enforcement agencies at all.

There are other questions that have to be answered by the minister with respect to what he’s trying to accomplish here. I posed these questions to him and have not gotten the answers.

Will the Attorney General provide municipalities with the tools needed for effective animal control should breed-specific legislation be enacted across the province?

How will the Attorney General respond to aggressive dogs that are found among any breed or crossbreed?

How will the Attorney General respond should breed-specific legislation and breed bans prove not to be effective solutions to the problems of dog attacks?

How and when will the Attorney General implement a comprehensive program of education, training and legislation encouraging responsible ownership of all breeds? That is not in this legislation.

Will the Attorney General implement a comprehensive bite-prevention strategy that encourages responsible ownership of all breeds? That is not addressed in this legislation at all.



The Attorney General, at the press conference he gave on October 26, said he's not going to ban any other dogs because he believes the Dog Owners' Liability Act is strong enough. I've said that negligence of dog owners is required in order to get a conviction, and it's not always that clear-cut with respect to that situation. So he's offered nothing new with respect to how to deal with this situation.

There are many court cases on this particular issue that have been litigated, and I want to cite two of them. One is *R versus Meyerhoffer*, which is a British Columbia case that involved criminal law offences against person and reputation, causing bodily harm and endangering a person, dealing with criminal negligence. In that case, we're dealing with two dogs that attacked. The owners were charged in an indictment with respect to criminal negligence for permitting their dogs to run at large, and also attacking a young boy of eight years without provocation by these two dogs. On the same day, the dogs attacked another young boy who came from the steps of his own home. These two dogs were Rottweilers. We have situations here where the crown could prove there was negligence by the owner and these owners were charged and convicted.

There's another case called *R versus Baird*, a Northwest Territories case where the owner was charged on indictment for criminal negligence. The dog that was involved here was a Canadian Eskimo husky. In this case, counsel agreed that the Canadian Eskimo husky is a breed known for its high energy and it's instinct for pulling but is not well suited as an attack dog. They also agreed that it tends to be aggressive toward other dogs but not necessarily toward humans, and this aggressive tendency is most notable on their territory. In this case, these dogs got involved with an individual in their backyard and what happened was an attack by these dogs on the individual. The owners had kept these dogs chained. I take it from this that an attack occurred and the owner who had responsibility for these dogs was found to be criminally negligent with respect to the attack on the individual who came into the backyard.

Neither one of these dogs were pit bulls. The law was used under the Criminal Code to deal with these dog attacks. Now, every dog attack is different and every dog attack is unfortunate, but for the Attorney General to say that he's not going to ban other dogs because the Dog Owners' Liability Act is strong enough for these other dogs really leads one to question what his focus is in terms of public safety.

When I look at this, the bill is not thought through and it could lead to the situation that currently exists in Italy. I'll point to some research that I've done with respect to the Italian experience with respect to this. I will read it. It says, "Following a recent series of pit bull attacks, Italy introduced, by urgent decree, a new law in September 2004. The law requires the owners of dangerous dogs to take out insurance against possible attacks and to keep the dogs muzzled and leashed in public. Penalties include a fine of up to €206 or a possible three months in prison.

1720

"In addition, minors, delinquents and criminals who have caused harm to people or animals are banned from owning a dog on the dangerous dog list. If anyone in this category is caught with a dangerous dog, the dog will be seized.

"Currently, there are 92 dogs on Italy's dangerous dogs list. In addition to pit bulls, the list now includes Dobermans, Bull Mastiffs, German Shepherds, Newfoundlanders, corgis, collies and St Bernards.

"Critics say the law was introduced in haste. Animal rights groups fear it will encourage thousands of dog owners to abandon their dogs or seek other ways out of the problem of ownership. Others say the law unfairly targets the breed rather than the owners who mistreat the animals."

Is that the path we are going on? That's the question with respect to what the Attorney General is trying to do here. Punishing the deed is what the focus should be on, and giving municipalities the tool to protect the public from dangerous dogs. Increasing the fines is all that he is proposing. That's an ineffective way if you can't get a conviction because of the difficulties in proving negligence in certain situations. As I said, not all situations are clear-cut.

The focus should be on making sure the dog owners are responsible in terms of how they deal with their dogs: that they are properly trained, that they are muzzled where necessary, that they are leashed, and making sure that we are in a situation where proper dog ownership is the focus. That's not in the bill; it's not in the bill at all. What the minister is proposing here is the status quo, except for increasing the fines. That's really where he is going.

I also want to deal with some information that I have received. One of them is from a Mike Macbeth in Stouffville, who provided me with this information, which I would like to read. She says, "We cannot ban that which we cannot define. It is impossible to accurately define a pit bull, which is a type or shape, not a breed. Will the legislation define an animal that is half poodle/half pit bull, a pit bull? Geneticists will confirm that one offspring from this cross could have fluffy hair and be vicious, and another, smooth-coated and sweet-natured, because it is raising, environment and training of a dog that determines its temperament, as well as genetics.

"The two Canadian Kennel Club registered breeds mentioned in the legislation, the Staffordshire bull terriers and American Staffordshire terriers, are not pit bulls. They should be exempted from the legislation, as they have been in Windsor and Kitchener. Both have gentle temperaments with all people, particularly children. The Staffordshire bull is renowned internationally as a nanny dog, the babysitter.

"The Canadian Kennel Club is an authority regulated by the federal Ministry of Agriculture under the Animal Pedigree Act. There are fines and other consequences for members; there is accountability. Pit bull types of dogs

are mongrels bred by unregulated breeders. There are no consequences, legislation or authorities to control them.”

She asks, “Who will define the dog as a pit bull? Will it be left up to municipalities or animal control officers to define the dog as a pit bull? Are these people canine experts?” The point she is making there, which is the point I have been making, is that there is a definition under the legislation of what a pit bull is. But if you are charged with an offence that your dog is a pit bull and has done something that is wrong, it is up to you to prove that your dog is not a pit bull. Now, come on. That, as I said before, is a reverse-onus provision, and I think it's unconstitutional.

“Since it is not a registered breed with accompanying registration papers, a dog cannot accurately be defined as a pit bull. It is the accompanying owner who defines what we call a pit bull. It is the irresponsible owner, he or she who encourages aggression in his or her dogs, who should be penalized.”

The Animal Pedigree Act, which the minister has not referred to—all Canadian Kennel Club-registered breeds of dogs are regulated under the Animal Pedigree Act, which is a federal statute. Does the act supersede provincial legislation, is the question.

If the Attorney General can ban specific breeds of dogs, can he then ban all Holstein or Angus cattle, which are regulated by the same act?

I think the minister has a fundamental question to answer with respect to which jurisdiction deals with defining what a pit bull is, what type of dog. He hasn't thought that through, because there is no mention of it. He has never mentioned the Animal Pedigree Act. This may be the first day he has even heard of it.

I also want to refer to another e-mail that I received on this legislation. This is from Julie King, of the Staffordshire Bull Terrier Club of Canada. I will read part of this e-mail:

“You can't ban a pit bull, because you cannot ban that which you cannot define. It is impossible to accurately define a pit bull, which is a type or shape, not a breed. Because you cannot identify a pit bull, the costs of trying to enforce Bill 132 will be astronomical.

“In the United Kingdom, the courts are flooded with roughly 400 cases a year, at costs to the taxpayer that range from £10,000 to £40,000 per case. If you take a low estimate of £12,000 per case, you can have a Canadian cost of C\$26,800. Multiply that by 400 cases a year, and you are looking at costs of in excess of \$10 million for the legal components alone.

“In addition, in the city of London, it costs the police £250 a year”—this is London, England—“for the kennelling of seized dogs. Then there is the cost of staffing and enforcement in animal services departments.”

Certainly, I have not heard from the Attorney General how he's proposing to deal with that situation.

I also have an e-mail with a pretty good idea here from Dr Theresa Croker of Toronto. She states, “How many owners actually feel that if their dog growls, it is acceptable behaviour? Understanding dog behaviour is

critical to good dog ownership and the prevention of incidents. How many dog owners actually take their dogs to training classes? How many people realize that often it isn't the dog that is being trained, but rather the owner in how to deal with the dog?”

What I say to the minister is, are you considering, or would you be considering, mandatory obedience training and registration for dog owners, like we have for drivers' licences? Are you considering that? And if you are not, why not? We're trying to deal with the deed and punish that in terms of dealing with the dog owner who is not responsible.

There are other comments I have here with respect to enforcement, which I don't think the minister has thought through at all in terms of whether the law will work or how much it is going to cost.

I have an e-mail from Steve Barker. He is the Ontario director for the Dog Legislation Council of Canada, a Canada-wide, non-profit organization dedicated to promoting responsible dog ownership, to assist communities in developing effective laws and enforcing those laws in order to ensure responsible ownership, and to educating the public about dog bite awareness. He states:

“For your information, we have contacted the Attorney General's office numerous times and have hand-delivered packages of information, all with no response.” He goes on to say, “The Attorney General has consistently and deliberately ignored the expert advice of every major dog-related organization in North America, and in some cases has refused to meet with them, including the following: the Canadian Kennel Club, the Canadian Association of Professional Pet Dog Trainers, the Dog Legislation Council of Canada, the Canadian Federation of Humane Societies, the National Companion Animal Coalition, the Ontario SPCA, the Pet Industry Advisory Council, the American Kennel Club.

“He has consistently and deliberately ignored the advice of every humane society and SPCA organization in Ontario and Canada, including that of Kitchener-Waterloo. He has consistently and deliberately ignored the advice of the Ontario Veterinary Medical Association and the American Veterinary Medical Association. He is more than willing, however, to quote statistics from the latter while ignoring their 18-page report on how to implement a community approach to dog bite prevention, which was created by their task force on canine aggression.”

**1730**

No wonder we're going to need public hearings, because this minister has not consulted with the stakeholders.

The Attorney General has also gone on to state a number of things.

He says, “The Attorney General publicly stated that the United Kingdom didn't have much difficulty identifying the pit bull-type dog, but that the other fighting breeds cause the identifications problems. And yet the United Kingdom's own parliamentary documents state otherwise, that the pit bull dog did indeed present



significant identification problems, and that the total number of dogs from other breeds was less than half a dozen. Documented evidence of identification difficulties abounds throughout the United Kingdom, Germany and the United States. The Attorney General has based a large part of his legislation on the UK model, a model which has been studied in universities in England as an example of extremely poorly thought-out legislation."

Now, the Attorney General and his drafters have been clever. I've said that before. They don't know how to define a pit bull, and they don't even know how to enforce that, but they've got a clever provision on the reverse onus. If you're charged with respect to an offence involving your dog and the bylaw enforcement officer says, "That dog is a pit bull," then it's a pit bull, and you're going to be convicted unless you can prove it's not a pit bull. I've never heard of anything more unfair. I can tell you that that provision is going to be struck down by the charter, and if that provision is struck down by the charter, this legislation is going to be of no use whatsoever in terms of dealing with what the minister wants to deal with.

He's going to have to think about that because he is the Attorney General and he is expected to have some knowledge of the law in terms of how it is enforced and how it's supposed to work.

There's another area that is mentioned by Steve Barker, who is the Ontario director for the Dog Legislation Council of Canada. It goes to an area I've already talked about. It has to do with the definition of menacing behaviour. It's in there: "There is no clear definition of menacing behaviour. This is open to wide interpretation by bylaw enforcement officers, and makes dog owners in general, not just pit bull owners, extremely susceptible to officers who don't like dogs, especially larger or more muscular dogs, and to angry or fearful neighbours who are looking for a way to get rid of the dog next door. Again, in the case of the pit bull, a conviction requires the mandatory destruction of the dog."

That's where the minister is going with respect to this particular type of legislation.

"The legislation places biting or menacing a domestic animal on the same legal level as biting or menacing a human being, with the possibility of same jail time behaviour from one dog to another etc."

As I've gone on to say before, I have real difficulty with the reverse-onus provision. Mr Barker has pointed this out also with respect to this. He states, "If an officer decides without any training in breed identification"—because they're going to have to have some knowledge of breed identification, wouldn't they? Wouldn't you think you'd have to know what a breed is if you're going to be going out there to enforce the law?

So we have an officer who "decides without any training in breed identification that a dog is a pit bull, the onus is on the owner to prove that his or her dog is not a pit bull. The only likely acceptable proof will be documents from a breeder, a registry or a veterinarian. Therefore, all owners of shorthaired, muscular, medium- to large-sized

or backyard-breeder dogs are at risk if they have rescued that dog or got it from a hobby breeder, a friend or a backyard breeder."

What he's saying here is, if you don't have papers for your dog, you may face an uphill battle, and since they have no paperwork, they have no proof. If the dog is convicted of being a pit bull—and remember, the owner has to prove otherwise—the legislation requires the destruction of the dog.

Part of the legislation includes "a member of a class of dogs that have an appearance and physical characteristics that are substantially similar to dogs referred to in any of clauses (a) to (d); ('pit bull')." Breeds that have easily been mistaken for pit bulls in the United Kingdom, Germany and the United States include Labrador retrievers, boxers, Jack Russell terriers, Great Dane and Great Dane cross, mastiffs, Rottweiler cross, bull terrier, American bulldog, Shar-pei, Rhodesian Ridgeback cross."

That reverse-onus provision is something that the Attorney General better think about, because he's really crossing the slippery slope here. If we're going to be living in a society where you're going to be charged and then you're going to have to prove that you're not guilty, well, that's not the way it works. It's not a reverse onus.

They had these test cases back in the 1980s, I believe, regarding reverse ownership provisions with respect to operating a motor vehicle under the influence. They were struck down.

What we've got here is a situation where the bylaw enforcement officer, whether he or she is trained or not—who knows?—says, "That's a pit bull." Then you're charged. You've got to go to court and prove that your dog is not a pit bull; otherwise, you're convicted.

That reverse-onus provision is the guts of this legislation. It has nowhere to go unless that clause stands. If that clause goes, this legislation is done. Why? Because he's not offering anything to municipalities in terms of allowing them to have the tools to protect the public from dangerous dogs. He hasn't offered anything at all. He hasn't put in the legislation anything to do with respect to being a better dog owner in terms of training, in terms of education and in terms of looking after your dog in a more humane manner.

What I would like to deal with now is the minister's statements on the bill—and there have been many—as to why he believes the bill is necessary. I want to go through this. I certainly appreciate the help I've received on this in terms of trying to understand the minister's statements, because some of them are not always that difficult to understand. I just want to go through this briefly.

He states, "Pit bulls are 1% of the dog population and half of all the incidents. These are not pets. Canadian statistics demonstrate that pit bulls are responsible for less than 5% of serious dog bites." My question is, where did this minister get this information? When is he going to table the information he's relying on with respect to these statements?



He also states, "We also know that when you institute a pit bull ban it does not take long to have no more pit bull problems in your jurisdiction. That was the experience in Winnipeg." That's what the minister says. Yes, there were no pit bull problems, but the number of overall dog bites in Winnipeg increased between 25% to 50% after the ban. The ban of pit bulls in Winnipeg did not resolve the dog bite problem.

The Attorney General goes on to say, "I am convinced that pit bulls are ticking time bombs. I am convinced that they are inherently dangerous dogs."

In the United States, the Supreme Court in Alabama has ruled that there was no genetic evidence that one breed of dog was more dangerous than another simply because of its breed.

**Hon Mr Bryant:** Alabama?

**Mr Tascona:** The Attorney General is saying, "Alabama." They have good lawyers in Alabama. They respect the rule of law. I'm saying to the Attorney General, are you respecting the rule of law when you put in a reverse-onus provision when you know that reverse-onus provisions under the Criminal Code have been struck down?

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All of the experts support this view, experts that Michael Bryant refused to include in his round table discussions. I have told you the number of groups he would not meet with, and has not met with. The minister goes on to say, "only to have a neighbouring pit bull knock her fence over and a 150-pound beast charge her kids." A typical bull terrier weighs between 40 and 80 pounds. This obviously was a case of mistaken identity. The wrong breed is blamed due to public ignorance.

He goes on to state, "Most of the people that I have heard from through thousands of e-mails have indicated that they already put a muzzle on their pit bull." Thousands? Really? Where are they? Who has seen them? Are these e-mails only from cities with mandatory muzzle legislation? Is the minister willing to provide those e-mails as evidence? Because he has an evidentiary problem. If I were acting as the judge, I'd say to Minister Bryant, "Show me the evidence. Prove to me you've got a case." He hasn't proven anything.

He goes on to state, "Even more interesting, attacks in Winnipeg by all breeds of dogs, once numbering 30 to 40 per year, have decreased overall. A decade after their pit bull ban was instituted, dog attacks number about one per year, refuting the claim that pit bull owners will turn to other dangerous dogs." Winnipeg statistics show—this is my response—that the dog bites have been running in excess of 200 per year since the ban. The annual number of dog bites rose after the Winnipeg ban was implemented. This statement by the Attorney General certainly is not correct.

He goes on to state that both France and Germany, and Great Britain, are dog-loving countries and that they have banned pit bulls. Now, Staffordshire bull terriers are not banned in England. The most popular terrier and the seventh most popular breed in the country is a Stafford-

shire bull terrier. They're not banned. He's banning them here.

Lower Saxony in Germany banned bull terriers. That law was overturned by a federal court in Germany, in Berlin, on July 3, 2002. France banned pit bulls. That's what Mr Bryant said. The response by the Minister of the Interior in France to a question concerning France's dangerous animals act was that Staffordshire bull terriers are perfectly distinct from American Staffordshire terriers and much smaller and do not present any particular danger.

There are different interpretations of the law with respect to what a bull terrier does. It goes back to my initial point: We've got a problem with the definition here. It is going to be struck down, and it is not going to be interpreted in the way the Attorney General thinks it is going to be interpreted. But he has solved that problem, because if you get charged and they say it's a pit bull, you had better prove it's not a pit bull, otherwise you're going to be convicted.

There are some other comments I want to point out. "Attempts to impose breed-specific bans have been overturned by courts in the United States and in Germany on the grounds that there is no scientific evidence to support such a ban." We're waiting for that evidence from the Attorney General. "There is no evidence to support a ban on Staffordshire bull terriers. Indeed, Canadian statistics show that they are a very safe breed compared to other dogs. Bans on bull-terrier-related breeds have not made the public any safer. Statistics from the city of Winnipeg demonstrate that the actual number of dog bites increased after the ban. A multitude of experts and stakeholders have been denied the opportunity to contribute to this process."

I would ask, why? Why were they not allowed to be a part of this process? Why the haste to get this legislation in place? The public expects legislation that is credible. They expect it to be effective, and they expect that the Attorney General has thought through something that is going to solve the problem. The problem is dangerous dog attacks.

The Attorney General claims that the public will be protected from vicious dog attacks if all pit bull terriers are banned in Ontario. I'm waiting for the facts to support this claim. He's made that assertion. What's the evidence to support that claim? Because when you look at the experience in the United Kingdom—and I want to refer to that experience they've had.

In the United Kingdom, the Dangerous Dogs Act was passed in 1991. It makes it an offence to breed, sell, exchange, give or abandon any dog of the type known as the pit bull terrier; any dog of the type known as the Japanese tosa; and any dog of any type designated by order appearing to be of a type bred for fighting. Dogas and filas have been designated by order. It is also an offence to allow a dog to be dangerously out of control in a public place or to allow a dog to enter a place where it is not permitted to be. This becomes an aggravated offence if the dog injures any person. On conviction, the



owner may be fined, imprisoned or disqualified from owning a dog. The dog may also be destroyed.

According to the 2001 BBC report, the number of people hospitalized because of dog attacks in the United Kingdom has increased 25% over the previous five years. The Attorney General is quoted in a press conference as saying, "Over the next five years, you're going to see dog attacks go down." That's his quote. The experience in the United Kingdom is the opposite: Dog attacks are going up.

There are other situations here that I also want to deal with. In Winnipeg, the dog attacks increased, despite the pit bull ban. In the United Kingdom, despite the pit bull ban, dog attacks have increased. As I said, the Attorney General said that in five years the number of dog attacks, in his opinion, will decrease. The experience in Winnipeg and the United Kingdom will contradict that.

I just want the public to fully know the facts. They have a right to know the truth. They have a right to know the facts of what's out there, and the facts are that dangerous dog attacks, which we're trying to protect the public from, have not gone down because of a pit bull ban.

I want to put it to the minister that he has not mentioned an area that got rid of the breed. He cited a number of cities that have implemented breed bans, but he has neglected to state that the city of Edmonton rescinded its breed ban on pit bulls. Cincinnati, Ohio, has also rescinded its pit bull ban after 13 years, stating that it was expensive and didn't work.

"The statistics that Attorney General Bryant cited about Winnipeg on October 26, 2004, also did not tell the Legislature the real story. Winnipeg's statistics actually show that the number of bites from other breeds is on the increase. Any statistics on dog bite incidents in this country are skewed as there is no national canine database which tracks the number of dogs in this country. Without that, the number of reported bites is meaningless."

What I've said is, has the minister explored mandatory regulation of dog breeding in this province and the development of a national canine database where trends could be monitored over time, ie, if one million dogs are registered on the database, what percentage of those actually bit a person or dog, what kind of bite it was, what injury was sustained and what kind of dog was involved? You've got a situation here that is problematic because of the lack of record-keeping that is out there.

I just want to also refer to some statistics on this particular matter. "Current statistical information on dog bites and dog attacks in Canada is lacking. No Canadian figures accompanied the Ontario announcement on October 15, 2004." That was the announcement made by the Attorney General. He didn't give any Canadian figures with respect to what was going on to support his announcement that he was going to be bringing in legislation to ban pit bulls—none whatsoever. "There is no national data on canine population, dog-related deaths and injuries, or which breeds cause the most harm. While

dog bites are a common reason for emergency room visits, there is no mandatory reporting of these bites, let alone the dog's ownership, breed, spay/neuter status or history of aggression."

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That is a problem that the Attorney General has to address because he is not providing the public with any information. The reason why is because there isn't any. He has no evidence to support what he is saying, and we're talking about hard evidence with respect to what he is trying to accomplish here.

No one here would deny the fact that there is sympathy for any person that is attacked by a dog at all. What we're trying to do here is make sure that the Attorney General puts forth credible, effective legislation that has been thought through, consulted with the public, and not putting in reverse-onus provisions that are going to convict people because they can't prove that the dog isn't a pit bull, when, in fact, nobody knows what a pit bull is. They provided a very convoluted definition of what a pit bull is—very convoluted, because they have different interpretations in different jurisdictions. The United Kingdom does not recognize a Staffordshire terrier as a pit bull, yet in Ontario, we are. So, it's not that simple.

There are other situations in England, and this is from court hearings that are in the United Kingdom, and the problems with actual identification of breeds or types of dogs. This is in the United Kingdom. This is their experience. It says, "Furthermore, the court hearings are designed to consider the dog's physical conformation to see to what extent the dog conforms to the ideal pit bull terrier." If the owner cannot prove that the dog does not have a substantial number of such physical characteristics, then the owner is convicted. The issue of the dog's behaviour, which would have been thought to be the most vital part of the test, was held to be relevant but not conclusive. Many dogs, therefore, have been needlessly destroyed." That's the experience in the United Kingdom.

I don't like that reverse-onus provision and I have mentioned that before, but it seems that the Attorney General is quite comfortable with it.

I also want to deal with some other information that has been put forth by the Attorney General on this matter because I think his credibility, quite frankly, is in question, and so is this bill as an instrument of protecting the public.

The Attorney General stated on October 26 in direct questioning, and Mr Kormos was there with me, "The pit bull is a breed apart." I say to the minister, what is this based on? You made a very significant statement there, and then when you were questioned by the reporters, who said, "What about other dogs? Are you going to ban them?", his statement was, "They don't need to be banned. The Dog Owners' Liability Act will do the job. But the pit bull is a breed apart." I'm saying to the minister; show me the evidence that they're a breed apart. People have got a right to know.

I want to refer to that Alabama Supreme Court decision and, specifically, to read from it. I want to just read this, because the Alabama Supreme Court dealt with this issue with respect to the definition and the interpretation of what pit bulls are in terms of their danger.

"The Alabama Supreme Court affirms a decision by a lower court, which ruled that four pit bull puppies are not vicious and can be adopted from the Huntsville Animal Shelter. This Madison county circuit court ruling came after the prosecution argued the dogs were vicious with no useful purpose and presented 'expert' testimony by a veterinarian that stated pit bulls are genetically vicious." That's what the Attorney General is saying. He says they're ticking time bombs and they're a breed apart. "The court, in its ruling, decided that the four pit bull puppies were not vicious and could be adopted.

"The veterinarian, in an affidavit, testified, 'In my professional opinion, the four pit bull dogs, by virtue of their genetic predisposition of viciousness and lack of socialization, lack any useful purpose due to viciousness.' The interveners seeking to adopt the dogs represented themselves pro se but were assisted by the American Canine Foundation (then known as the Washington Animal Foundation) and provided counterevidence from experts that convinced the judge the pit bull pups were not vicious and were not genetically predisposed to being vicious, nor did they lack any useful purpose."

This ruling was later affirmed by, as I say, the Alabama Supreme Court, and it deals with the situation that we have at hand: that pit bulls are a breed apart.

What we're trying to accomplish here is to make sure that the minister has done his job. He's the Attorney General. His job is to respect the rule of law. That's why he's in the position. That's what makes us a free and democratic society. It's not his job to put in place laws that are not credible, that are not enforceable and that mislead the public with respect to what the legislation is actually going to accomplish.

As the official opposition, we've got the right to ask questions, we've got the right to ask hard questions, and we've got the right to demand answers to what this minister is trying to do. I can tell you that he has not answered those questions with respect to how he's going

to enforce this legislation because he has not put in place a mechanism that is going to be enforceable.

He also has not addressed the situation of how he is going to deal with municipalities that do not have dog enforcement mechanisms. He has not dealt with the situation of how we're going to deal with dogs that are going to be put in kennels, be it awaiting sentencing or destruction. He hasn't dealt with the situation of what he's going to do with the dogs that are will be taken off the street by pet owners who are not going to be able to care for those dogs in situations that, regrettably, are going to be caused by this legislation.

I know that the Attorney General is trying to accomplish something here. We're just trying to play our role to make sure that what he's trying to accomplish is to protect the public from dangerous dogs. We all share that. As I said earlier when I started, a new approach has to be taken, obviously, to protect the public from dogs, but what the minister is trying to accomplish here has a lot of questions. I've questioned what he has put in the legislation. I'm looking for answers. He's going to have to look hard at this legislation, and I think he will, because he's going to be facing public hearings.

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Acting Speaker (Mr Ted Arnott):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

**The Deputy Clerk (Ms Deborah Deller):** The following is the title of the bill to which His Honour did assent:

Bill 105, An Act to revise terminology used in the French version of certain statutes / Projet de loi 105, Loi révisant la terminologie utilisée dans la version française de certaines lois.

**The Acting Speaker:** It being very close to 6 of the clock, this House stands adjourned until Monday, November 15, at 1:30 pm.

*The House adjourned at 1800.*



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First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 15 November 2004**

**Lundi 15 novembre 2004**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 15 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 15 novembre 2004

*The House met at 1330.*

*Prayers.*

## MEMBERS' STATEMENTS

### PROPANE EXPLOSION

**Mr John O'Toole (Durham):** I rise in the House to pay tribute to the emergency services personnel of Clarington and to all those who responded to the explosion near Port Darlington in Bowmanville on November 9. This was the largest propane explosion in Ontario in over 40 years.

Naturally, our thoughts are with all those affected by this incident, including the nearby homes, businesses and employees. However, our community was indeed fortunate that despite the magnitude of the explosion and fire, there was no loss of life and no injuries. This is a tribute to the skills and professionalism of Clarington's emergency and fire services, along with the emergency responders. They include Durham Regional Police, Durham EMS members, and members of the RCMP and the Ontario Provincial Police. The Salvation Army was also on hand to support those fighting the fire and those who had to evacuate their homes.

I would like to commend the mayor of Clarington, John Mutton, and all the municipal staff for their quick response in putting the municipality's emergency plan into action within minutes. I'd also like to pay respect to Clarington Fire Chief Michael Creighton and all of his staff, including Division Chief Bill Hesson, who directed the emergency response from the Durham Regional Police helicopter. I'd also like to recognize Inspector Bill Temple of the Durham Regional Police, and Chief Kevin McAlpine.

There were 50 firefighters and some 15 vehicles on the scene, as well as 60 police, including 10 RCMP officers and 10 members of the OPP.

I'm pleased to say that the residents evacuated during the incident were safely home the following day at the latest. The cause remains under investigation. I'm confident that what we learn from this incident will further protect all Ontario communities in the future.

### EID-UL-FITR

**Mr Shafiq Qaadri (Etobicoke North):** It is a great privilege for me to rise today and recognize one of the

great Islamic celebrations, the festival of Eid. Today, Muslims around the world observe the end of Ramadan, the month of fasting, which actually happened over the weekend. The Eid festival begins on the sighting of the first new moon after Ramadan. It is a celebration of charity, forgiveness and family. It is also a time to give thanks for being granted the strength and discipline to have endured the previous month's fasting.

It's a privilege to recognize this glorious occasion, because by doing so, we celebrate the Canadian traditions of multiculturalism, mutual respect and harmony. The fact that I am able to stand before you today and share my culture is a testament to the tenor of a liberal society.

Our country leads the world in our commitment to multiculturalism. I'm proud to be a member of a government that enshrines values of understanding, respect and harmony. Every day we take steps. For example, we are giving Canadian workers easy access to their rights by making employment standards available in 21 languages, we are helping foreign-trained health professionals contribute to the health of Ontarians, and just last week we announced new programs to create employment opportunities for internationally trained medical graduates. These programs are substantive evidence of this government's commitment to the ideals of multiculturalism.

I salute this House, this assembly and this government on this occasion of Eid-Ul-Fitr. Eid Mubarak.

### ROYAL AGRICULTURAL WINTER FAIR

**Mr Ernie Hardeman (Oxford):** I rise today to recognize the grandest of all the fall fairs, the Royal Agricultural Winter Fair, which closed for the 2004 season yesterday. The Royal is the largest indoor combined agricultural, horticultural, canine and equestrian event in the world and provides an excellent opportunity for the city to meet the country. As the organizers say, "It's the show that puts November on the calendar, Toronto on the map and Canada on the world stage."

At the Royal, non-rural residents can learn about agriculture in Ontario and the challenges that farmers in this province face on a daily basis.

While I've been fortunate to attend the Royal for a number of years, this year I had the opportunity to visit the fair with John Tory, the leader of the PC Party of Ontario, and CEO Bill Duron, who gave us a personal, guided tour. I was happy to attend the exhibits with Mr Tory, who wanted to get to know the real people who work the farm and hear about their needs and concerns. He didn't want to rub shoulders with the elite at the



opening ceremonies; he wanted to meet the people who are responsible for bringing Ontario products from farm to fork. We met with a variety of different commodity groups and became informed about each one's farming experience, and we talked extensively with cattle farmers, who are presently facing the greatest challenges of all.

On behalf of myself and our leader, John Tory, I'd like to take this opportunity to thank the organizers and participants of the Royal Agricultural Winter Fair for once again putting on an impressive display, for taking the time to tell us their personal stories and for showing the world why Ontario continues to produce some of the highest-quality foods in the country.

### RELIGIOUS HOLIDAYS

**Ms Marilyn Churley (Toronto-Danforth):** Salam Alaykum. Namaste. Sat Sri Akal.

This weekend marks celebrations in three religious communities: The Muslim community celebrated Eid; the Hindu community celebrated Diwali; and the Sikh community celebrated Bandi Chhor Divas.

I'm honoured to stand in the Ontario Legislature today on behalf of the New Democratic Party to wish the Muslim community Eid Mubarak, the Hindu community Shubh Diwali and the Sikh community Bandi Chhor Divas Mubarak.

Eid marks the end of the holy month of Ramadan, a time of worship and contemplation. The month also teaches social consciousness and solidarity.

Diwali commemorates Lord Rama's return after 14 years in exile and the victory over darkness.

The Sikh community commemorates Guru Hargobind Sahib's return from being jailed as a political prisoner. When the Guru was released, he insisted on taking other political prisoners with him.

All three of these communities have played and continue to play significant roles in my riding of Toronto-Danforth, and indeed throughout all of Ontario, both economically and socially. I am asking the House to wish all three communities Eid Mubarak, Shubh Diwali and Bandi Chhor Divas Mubarak.

### DIWALI

**Mr Vic Dhillon (Brampton West-Mississauga):** I rise today to offer my best wishes to the East Indian community on the occasion of Diwali. Diwali signifies victory of light over darkness, victory of knowledge over ignorance, victory of goodness over evil and victory of life over death. It is a celebration of eternal light which also marks the new year for the East Indian community.

There are over 800 million East Indians in the world and over half a million in Canada. The first settled in Canada more than a century ago, and they have contributed to the growth and development of this country and continue to play a vital role in communities across the country.

I am sure every member of this House will join me in extending congratulations to this community on this occasion.

### AWARDS

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to recognize a number of businesses and individuals in my riding of Parry Sound-Muskoka. Recently two significant awards ceremonies took place in Bracebridge and Huntsville.

The first awards ceremony was the Bracebridge Chamber of Commerce Outstanding Business Achievement Awards. This year, these awards focused on the retail sector. The chamber voted to recognize George MacNaughtan of MacNaughtan's Home Hardware, Michelle Hallam of the Silver Bridge Gallery and Todd Jones of Muskoka Furniture.

The chamber's businessperson of the year was awarded to Don MacKay of Muskoka Highlands golf course. Muskoka Party Rentals, owned by Kim Rixon, was named the new business of the year. Gord Smith accepted the award for the Rocky Island Tire Co as established business of the year. The 2004 award for outstanding contribution to Bracebridge went to Gord Durnan for his work with the South Muskoka Memorial Hospital Foundation.

1340

This year, 19 women were recognized for their accomplishments by the YWCA Muskoka Women of Distinction Awards. Jennifer Peake and Robin Stewart were the young women of distinction. Both of these women are active volunteers in their communities. Gwendolyn Boyes-Sitler was honoured for her career as a nationally recognized artist and author. Barbara Dawson was recognized for her commitment to the Muskoka Pioneer Power Association. Anne Cool of Huntsville was nominated for her commitment to promoting education for adults and children. Judith Moore of Muskoka Ambulance Service was honoured for her commitment to emergency services.

I hope that you will all join me in congratulating these successful businesses and community leaders.

### REPORT ON YOUTH VIOLENCE

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I rise today in recognition of an amazing group of youth who have been working on the issue of violence. This group, brought together by the Office of Child and Family Service Advocacy and Voices for Children, released the report entitled Just Listen to Me: Youth Voices On Violence at 11 am on the steps of the Legislature.

Just Listen to Me is the first report of its kind and it presents a picture of violence in the lives of Ontario's young people as told through their own voices and experiences. Just Listen to Me is the result of round table discussions on violence that included input from 80 young people from six regions across the province. I am

pleased to have had the opportunity to meet with representatives of the Office of Child and Family Service Advocacy and Voices for Children, along with the Minister of Children and Youth Services, in preparation for today's release.

I'm delighted to acknowledge today's speakers—Stephanie, Jessie and Brad—who introduced the report earlier today and spoke on behalf of all the young people involved in the outcome of the report. I'm also happy to acknowledge Audrey, Kathy, Mark, Patrice and Andrew, who are also at Queen's Park today and in the Legislature this afternoon. I thank them for their dedication and hard work.

The goal of the report is to explore the nature of violence in the lives of young people through firsthand experiences and to make recommendations for a starting point to ongoing dialogue in order that we may collectively find solutions to the problems identified by youth in this groundbreaking report.

### CONSUMER FRAUD

**Ms Monique M. Smith (Nipissing):** I'm pleased to rise today during Consumer Awareness Week to speak about an anti-fraud initiative based in my riding of Nipissing. PhoneBusters is a national anti-fraud call centre jointly operated by the OPP and RCMP and based in North Bay. Established in 1993, this fully bilingual service handles complaints about telemarketing, mail fraud, ID theft, Internet fraud and consumer scams with a Canadian connection. Over the past 10 years, PhoneBusters has contributed to the public's awareness that it is often our most vulnerable citizens—our seniors—who are the targets and victims of telephone, mail and Internet fraud. Thankfully, there is SeniorBusters.

Operating in conjunction with PhoneBusters, SeniorBusters consists of over 60 volunteers from North Bay and area over the age of 50 who call back seniors who have been victims of consumer fraud. SeniorBusters work with seniors, family members, local police agencies and elder abuse committees to alert the public to potential scams and frauds. Through education, they equip seniors with the necessary tools to effectively fight this crime. By providing emotional and moral support to victims, they ensure that all seniors have a place to turn if they need assistance.

I recently had the privilege of celebrating the various volunteers and coordinators. I was thrilled to acknowledge Detective Staff Sergeant Barry Elliott; Carole Gilmour, the SeniorBusters coordinator; and all of the SeniorBusters volunteers. I am proud of this important work being done in my riding, and I salute them all.

### EDUCATION

**Mr Brad Duguid (Scarborough Centre):** I'd like to take this opportunity to talk about education. Across this province, schools are benefiting from this government's commitment to education.

The Toronto Catholic District School Board is a prime example of that commitment. Since we've taken office, the Toronto Catholic District School Board has been able to hire 60 new full-time-equivalent teachers. The funding provided will ensure smaller class sizes for our youngest learners in junior kindergarten to grade 3. This will ensure that our children get the attention they deserve.

This government understands the importance of a good start for all our children across Ontario, and that is why we're committed to these smaller class sizes.

This is a welcome change from the previous government's lack of attention to our schools. Where once our children went to schools in crowded classrooms with limited supplies and crumbling facilities, we're ushering in a new era in education where our children go to schools with smaller class sizes, funding for resources, and structural upgrades.

We're tackling the rising dropout rate to ensure that our young people have greater access to the educational opportunities they will need to compete in an ever-increasingly-competitive global economy. Test scores are already improving. I'm very proud to be part of this Liberal renaissance in education in Ontario.

### VISITORS

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: In the east gallery today I'm pleased to introduce two prominent members of my riding—a Stanley Cup winner and the new coach of the Atlanta Thrashers, Bob Hartley, and also a very prominent developer from Embrun, Robert Bourdeau. Please welcome them.

**The Speaker (Hon Alvin Curling):** It's not a point of order, but welcome.

We must caution members that rising on a point of order of that nature is not appropriate.

We have today in the members' gallery Mr Nino Aquilino, mayor from the province of Agrigento on the island of Sicily, in Italy. I would invite all members to welcome him.

### MOTIONS

#### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm until 9:30 pm on Monday, November 15, 2004, Tuesday, November 16, 2004, Wednesday, November 17, 2004, and Thursday, November 18, 2004, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All opposed, say "nay."



I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1348 to 1353.*

**The Speaker:** All those in favour, please rise and be counted by the Clerk.

#### Ayes

Arthurs, Wayne	Hardeman, Ernie	Peters, Steve
Baird, John R.	Hudak, Tim	Phillips, Gerry
Bartolucci, Rick	Jackson, Cameron	Pupatello, Sandra
Bentley, Christopher	Jeffrey, Linda	Qaadri, Shafiq
Berardinetti, Lorenzo	Klees, Frank	Racco, Mario G.
Bradley, James J.	Kular, Kuldeep	Ramsay, David
Brotten, Laurel C.	Kwinter, Monte	Rinaldi, Lou
Brown, Michael A.	Lalonde, Jean-Marc	Ruprecht, Tony
Brownell, Jim	Leal, Jeff	Sandals, Liz
Bryant, Michael	Levac, Dave	Smith, Monique
Caplan, David	Marsales, Judy	Smitherman, George
Chambers, Mary Anne V.	Martiniuk, Gerry	Takhar, Harinder S.
Crozier, Bruce	Matthews, Deborah	Tascona, Joseph N.
Delaney, Bob	Mauro, Bill	Van Bommel, Maria
Dhillon, Vic	McMeekin, Ted	Watson, Jim
Dombrowsky, Leona	McNeely, Phil	Wilkinson, John
Duguid, Brad	Meilleur, Madeleine	Witmer, Elizabeth
Duncan, Dwight	Miller, Norm	Wynne, Kathleen O.
Dunlop, Garfield	Mitchell, Carol	Yakabuski, John
Flynn, Kevin Daniel	O'Toole, John	Zimmer, David
Fonseca, Peter	Oraziotti, David	
Gravelle, Michael	Ouellette, Jerry J.	

**The Speaker:** All those against, please rise and be counted by the Clerk.

#### Nays

Churley, Marilyn	Kormos, Peter	Martel, Shelley
Horwath, Andrea	Marchese, Rosario	Prue, Michael

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 64; the nays are 6.

**The Speaker:** I declare the motion carried.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Today I have the honour and the great pleasure to inform the Legislature and all the people of Ontario that our government has signed the Canada-Ontario municipal rural infrastructure fund. Ontario is the first province in Canada to enter into this agreement, and we are extremely proud to do so.

Small urban and rural communities will be able to apply for COMRIF funding immediately. COMRIF is a key component of our strategy to upgrade Ontario's infrastructure. You see, our province has fallen behind, and we have much work to do if we're going to remain competitive with the dynamic regional economies of our greatest competitors in the United States.

This program targets the infrastructure needs of small urban centres and rural communities with a population of less than 250,000. Our federal partner has agreed that we must work closely with small municipalities for whom COMRIF was designed. Through the Association of Municipalities of Ontario, known as AMO, municipal leaders have been involved in the design of COMRIF from the beginning. Since announcing this program here in the Legislature last May, we have consulted extensively with municipalities through AMO.

These are the priorities that municipal leaders told us they wanted to see addressed: Municipalities wanted safe, clean drinking water for their residents, they wanted sewage and waste disposal that didn't endanger the environment, and they wanted something done about the lamentable conditions of local roads and bridges.

Well, these are the key COMRIF priorities. Each of the three levels of government will contribute up to \$298 million to COMRIF. We have programs to help municipalities raise their share of the money.

To administer the program, we and our partners in Ottawa have set up a joint secretariat. This secretariat, the first of its kind in Canada, will consider all applications as rapidly as possible. We will decide in a timely manner and fashion which applications will be approved.

We believe that COMRIF sets a new benchmark for co-operation amongst the three levels of government. It will help restore our public confidence in the fairness and efficiency of public administration. It will bring real, tangible change to communities right across this great province.

We care about COMRIF, because in a healthy, strong Ontario, small communities must be as dynamic as larger ones. They need to retain their young people, offer modern amenities to new businesses and welcome new citizens. COMRIF will let them identify their own priorities and give them the tools to get the job done.

It's a great pleasure to be here to announce this historic agreement.

1400

#### WATER EXTRACTION

**Hon David Ramsay (Minister of Natural Resources):** It's my pleasure to stand in the House to advise the members on the steps this government is taking to achieve the strongest possible protections for the waters of the Great Lakes basin.

This past July, the government released to the public drafts of agreements it had negotiated with Quebec and the eight American states bordering the Great Lakes. The Ontario government has concerns about the level of protection provided in the draft agreements to the waters of the Great Lakes basin. This September, we held public open houses in Thunder Bay, Sault Ste Marie, Windsor, London and Kingston, and the Council of Great Lakes Governors hosted meetings here in Toronto. We listened to the feedback from stakeholders, First Nations and the general public, and they have spoken.

Ontario remains committed to its provincial law, which bans diversions. For the purposes of the annex agreements, Ontarians and the McGuinty government clearly want a no-diversions agreement or the position of no net loss, as proposed by the International Joint Commission. In addition, we regard conservation measures as significant for the protection of the Great Lakes waters. This precious resource should not be wasted. For these reasons, Ontario is not prepared to ratify the agreement in its current form.

Let me provide a bit of context for members on these agreements.

It was in the early 1980s that Ontario, Quebec and the eight Great Lakes states became concerned about the threats to the Great Lakes from proposals to divert large quantities of water out of the basin. So in 1985, they signed the Great Lakes Charter, which was a good-faith agreement that aims to protect and conserve the waters of the Great Lakes basin.

In 1998, the Harris government issued a permit to an Ontario company for the export of up to 600 million litres of water a year from Lake Superior for sale in Asian markets. Public outrage on both sides of the border led to the signing of the Great Lakes Charter Annex in 2001. The charter annex committed the 10 jurisdictions to strengthen protection of Great Lakes basin waters through binding agreements. Over the next three years, the parties negotiated the draft agreements that were released in July. Ontario took part in those negotiations because it was an opportunity for the province to have a voice in promoting stronger regulation of water uses on the US side of the border.

The Great Lakes are vital for the well-being of Ontarians, but these lakes are also a resource that we share with other Ontarians and among 40 million other people on both sides of the border who use these waters for drinking, for food production, for work and for recreation. While Ontario bans water transfers out of its three major water basins, the same is not the case in the United States. Clearly, water is a public resource that should not be traded as a commodity. Through the negotiations, Ontario was able to raise the bar on protections for the Great Lakes basin waters, up to a point. The draft agreements strengthen regulation of water uses in many states, but they are not as strong as Ontario's laws, which prohibit water transfers out of the province's three major water basins.

When Ontario released the draft agreements last July, I said Ontario would be seeking further dialogue with other jurisdictions on the diversion issue and on other issues that might be raised by the public. We asked the public, stakeholders and First Nations to give us feedback on these agreements.

I'm pleased to inform this House that I have instructed my officials who are meeting today in Chicago with representatives of Quebec and the Great Lakes states to discuss the results of the public consultation. The McGuinty government will not sign the current drafts of the Great Lakes Charter Annex agreements unless

changes to enhance the level of protection for the waters of the Great Lakes basin are made.

I will also be discussing the feedback from our consultation with my federal colleagues and Ontario's negotiating partners from Quebec. We will be considering our position carefully before resuming negotiations in January. I want to assure Ontarians that we will continue to seek input on the charter annex agreements from stakeholders and First Nations, and I would also like to address today a related issue concerning these negotiations.

Some stakeholders have raised the legitimate question of who should be leading these negotiations on behalf of our citizens. If the federal government were to direct the negotiations, it would have to deal directly with the US federal government, which would have to represent the interests of water users across the continental United States and not just the Great Lakes states. Ontario believes the US Great Lakes states share with us many common interests on the use and protection of this valued resource. We are concerned that other US states may have an interest in accessing Great Lakes waters that will conflict with our desire to prevent diversions from the basin. This is a highly complex issue, and we will continue discussions with Quebec and the Canadian federal government before we make any final decisions.

I want to assure Ontarians that, above all, the Ontario government is seeking the strongest possible protections for the waters of the Great Lakes basin to ensure future generations can enjoy the Great Lakes.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr Jerry J. Ouellette (Oshawa):** It's good to see the continuation of the discussions in regard to the 1985 annex agreement, with the express concerns as stated by the minister regarding the diversions.

Since the original agreement in 1985, many jurisdictions have changed governments, and we know that there were many grey areas in the original agreement. But the agreement had to start somewhere, and as the governments changed, so did the grey areas, especially as the world's thirst for fresh water has grown.

As in 2001, Minister Snobelen expressed his concern regarding the cumulative effect of small-scale diversions of water, the 2001 agreement did not allow for the removal of any water that would endanger the integrity of the Great Lakes basin ecosystem. As I mentioned, the grey area is, what is the integrity of the Great Lakes and what is a diversion? That is one of the grey areas we need to address.

Also, we see this as an opportunity for the minister to direct his staff to discuss and review with the other jurisdictions the impact of ballast water discharge. You see, there are about 2,000 ships that come into Ontario every year throughout the Great Lakes. They can take up to 11,000 tonnes of water annually in ballast. These ships go to various jurisdictions, with little or no consideration for the impact of moving species throughout the Great Lakes and certainly affecting the ecosystems within the Great Lakes. Not only that, but we need to address the



invading species that come along with the ballast water that comes in with the ships.

Certainly, when you talk about the number of litres of water removed from the province, when you equate 2,000 ships and up to 11,000 tonnes of ballast water, that equates to a significant amount of water. Personally, I know that when I met with the US Senate committee, they were more than willing to discuss the impact on the ecosystems found within the Great Lakes as a result of ballast water discharge. I know that Michigan and other jurisdictions wanted to sit down, and hopefully the minister will move forward in directing his staff to address this issue as well. As the minister stated, all are concerned about the ecosystems and the water quality found in the Great Lakes.

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to respond to the minister's address with respect to the COMRIF program. I congratulate him for getting the news out and an application date forward now. The speech does seem a bit like *déjà vu* all over again, very much like the one from May. But I know it does take time to get things through the Dalton McGuinty cabinet because they have that big test: There's no promise that can't be broken. I'm sure that for many, many months they have been trying to figure out a way to break this promise, but the minister struggled on and brought it forward.

But I want to address the minister's arguments, and those of the Minister of Municipal Affairs, that somehow COMRIF is an adequate substitute for the 340 municipalities whose citizens pay the full gas tax but will not receive a single penny of gas tax money from the McGuinty government. When you compare the two programs, the gas tax is overwhelmingly a larger program than COMRIF, which actually amounts to \$60 million of provincial funding on an annual basis. It's not exclusive as a substitute to those 340 municipalities. It's open to all municipalities up to a quarter million population. So you have those that apply to both programs; it's not exclusive to those 340.

It's application-based, whereas the gas tax is automatic, flowing to municipalities annually. Here, they go through an application process, so there's no guarantee of funding, or a limit. This is short-term, whereas the gas tax program, if I understand, is to be permanent. So the smaller municipalities are getting a short-term, application-based program where they are asked to put forward one third of the funding.

I think the Dalton McGuinty government has to realize that real, hard-working taxpayers live in rural Ontario—they are not simply the flyover counties as Dalton McGuinty makes his way in a jet from Toronto to Ottawa—with real concerns and real infrastructure needs for bridges and roads, real needs for agriculture, job creation and education. Sadly, the COMRIF program,

while welcome and very much like the old OSTAR program with a red ribbon tied upon it, is a poor cousin to the gas tax program, and sadly, that's the approach of the Dalton McGuinty government to rural Ontario: sad, poor cousins to the rest of the province. We are going to fight against that and we're going to continue to call on the Dalton McGuinty government for a real infrastructure program.

No doubt transit municipalities welcome that gas tax funding; it's going to go a long way to help transit in some municipalities. But 340 municipalities are out of the loop. We're going to continue to call for a substitute program to help those municipalities with their infrastructure needs.

1410

#### WATER EXTRACTION

**Ms Marilyn Churley (Toronto-Danforth):** In response to the Minister of Natural Resources, he will recall that I raised this issue in the Legislature in the form of a question a few weeks ago. At that time, he wasn't sure whether or not he was going to go ahead and sign the agreement. I'm pleased that he has announced today that they're going to review it further before signing it.

The minister referred to some of the problems today, but I want to clarify to the Legislature once again why this is so important, because there's some concern that the whole compact, as it now stands, undermines the integrity of the Great Lakes and our water. For instance, there are no set limits to how much water can be diverted; there is no time limit on these diversions. As the minister stated, there are experts like the Council of Canadians, legal experts like Steven Shrybman, the Sierra legal fund, First Nations and others expressing grave concern about the agreement as it now stands.

One of the things that most alarmed me, and still does about this agreement, is the fact that Ontario and Quebec would not have the same veto powers over those diversions as the American states would. That just seemed insane to me, that we would sign such a document, because Ontario just can't allow itself to be a doormat for the Americans. They may try to divert water from the Great Lakes to service sprawl across the border, and that is a very big concern that has been expressed. As it stands now, we have no veto over that, and it's very important that we take a look at it and take a look at the whole problem of osmosis, you might say, because some say, "Well, what we're talking about here only affects water from those Great Lakes bordering the US," but if the water only comes from one place, the water will flow via the principle of osmosis. It doesn't matter where you take it from; it's going to be reduced inside our borders as well.

I'm very, very pleased that the minister is going to review that. I'm glad that he's listening. I hope that he'll take all of those concerns that I and others raised into consideration before signing off on any agreement this vital. I would add, while I have this opportunity, that he

should be talking to the Minister of the Environment about the huge water-taking diversion that's happening as a result of the government allowing the big pipe to go ahead. Because of this interest in water-taking and diversions, that would certainly undermine our position in those negotiations while we have a proposal that has been approved by the Minister of the Environment to allow that huge diversion to go ahead in that area.

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Mr Michael Prue (Beaches-East York):** I will be responding to the statement made by the Minister of Public Infrastructure Renewal.

Although one can say that some of what you are doing is welcome, one can also have some very serious questions. The first is that you have isolated communities of 250,000 or less to get this money. That's virtually every community in Ontario, which may be your plan. There are only eight that have 250,000 people or more. So that means a whole body of communities out there are not going to get this money—the very, very large ones—and some of them do have farms and agricultural pursuits around them. I think that maybe you should look at this number, and maybe the number is not exactly right.

The one third of the cost: I also have to bear this in mind for some of the smaller communities—the really, really tiny ones. Where are they going to come up with the money they need in order to make the necessary repairs? The federal government has huge pockets. The provincial government has huge pockets. But when you get into some of the very small towns—and I'm thinking about where my own parents live, in Cardiff, Ontario—where are they going to come up with the one third to match all of the provincial and federal monies in order to protect their water supply? I just don't see that they are going to have the wherewithal or the ability to do that.

There's no discussion here about you having gotten rid of the municipal outlet draining program, which you disbanded—the ministers and the people on that side of the House—on July 28. Is this supposed to replace that? If so, this is not such a great announcement after all, because all you're doing is replacing something that you disbanded in July with a new program that ostensibly is going to do exactly the same thing.

You have decided, or the Treasurer has decided, to reduce the Ministry of Agriculture's budget by 15% in this fiscal year. Is this money to replace that? I have to ask that question.

Last but not least, I'm very worried that some of these municipalities are going to be pushed toward P3s; I think that's the hidden agenda.

#### ELLEN FAIRCLOUGH

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I believe we have unanimous consent for each party to speak for up to five minutes to

pay tribute to an historic trailblazer, the Right Honourable Ellen Fairclough.

**The Speaker (Hon Alvin Curling):** The government House leader has requested unanimous consent for five minutes for comments. Agreed? The member from Hamilton West.

**Ms Judy Marsales (Hamilton West):** I am absolutely honoured to be able to rise today to pay tribute to a great Hamiltonian, a great lady and a great parliamentarian—a local icon in our community, after whom a Hamilton government office is named as a permanent memorial to this great woman.

Long before I personally became involved with politics, I had occasion to visit Ellen Fairclough's home. As I walked through, admiring the framed memorabilia, I was struck by the enormity of the accomplishments of this amazing woman. Row on row of historical figures, giants of history, meeting with Ellen, honouring Ellen at a time in history when women were not so honoured: one woman fighting for the principles she believed in. One of those principles was equal pay for women. Her principles, as some of her colleagues found out, were not to be compromised.

"She was an accountant by education. She was reputed to be tough in business and tough in politics, but always compassionate and caring with people." This is a quote that I took from the *Spectator*, which ran a wonderful tribute to Ellen today. That image of toughness and caring was a universally held description of the Right Honourable Ellen Fairclough, who made Canadian political history by becoming the country's first female cabinet minister.

Ellen passed away on Saturday, two months shy of her 100th birthday. Her niece, Dr Joan Heels, described her as "a great lady full of wit and charm."

Ellen Fairclough was born on January 28, 1905, at her parents' home on Hunter Street West in Hamilton, just a couple of blocks away from where her home was on Stanley Avenue. Her determined nature became evident very early in her life. In a 1995 autobiographical account of her life entitled *Saturday's Child: Memoirs of Canada's First Female Cabinet Minister*, Ellen Fairclough wrote that she got her first job during the Christmas season of 1917 at Robinson's department store, opposite Gore Park in downtown Hamilton. How did she get it? By misrepresenting her age. We still do that today.

She served on Hamilton city council for five years, and was a member of the board of control and deputy mayor under Lloyd D. Jackson. In 1950, she won a federal by-election in Hamilton West as a Conservative, and was re-elected in 1953 and again in 1957 when John Diefenbaker won a minority government. She was named Canada's first ever female cabinet minister in June 1957, when Diefenbaker made her Secretary of State.

In her memoirs, Ellen noted that she became a Canadian political pioneer more by accident than by design: "Although I never started out to be the 'first' of anything, it turned out that I was the first woman in many areas of political life. There were not many others to follow, so I followed my own instincts.



"And when all is said and done, it has been a pretty satisfying life."

Mr Speaker, it has also been a very satisfying experience for anyone associated with Ellen Fairclough over the years. This is one political pioneer who will never be forgotten. She will be sorely missed, but her legend will live on to guide other women to follow her lead, to go forward with confidence in their endeavours, whether they be politics or business or their life's mission, to go forward with dignity, to go forward to follow their dreams. Her legacy is that other women will use their leadership and their talents to build a better world through active involvement.

On behalf of my colleagues in the Liberal caucus and of all Hamiltonians and Ontarians, I would like to extend my sincerest condolences to the family of the Right Honourable Ellen Fairclough. We also would like to extend our gratitude for the life and times and the wonderful leadership demonstrated by this truly great Hamiltonian.

1420

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm certainly pleased to rise on behalf of the Conservative caucus to pay tribute to the Right Honourable Ellen Fairclough. Born in Hamilton on January 28, 1905, she passed away this weekend at the age of 99, just two months shy of her centennial birthday.

Ellen Fairclough will always be fondly remembered as a trailblazer who broke the gender barrier in government and cleared the path for many female politicians to follow. She served on Hamilton city council for five years before she was elected to Parliament as the Conservative MP for Hamilton West in a 1950 by-election. She was the only female MP in the House of Commons until she was joined by three more in the 1953 election.

While an MP, Ellen Fairclough introduced a private member's bill for equal pay for work of equal value. She was way ahead of her time. She also averaged 150 speeches a year in the House of Commons, focusing on housing, income tax, unemployment insurance, the post office and, of course, the status of women.

On June 21, 1957, Ellen Fairclough made political history by becoming Canada's first female cabinet minister when she was sworn in as Secretary of State by Prime Minister John Diefenbaker. When the Diefenbaker government was re-elected a year later with a majority, she was appointed Minister of Citizenship and Immigration. In fact, it was in that position that I feel I have a little bit of a link with Ellen Fairclough. When I became a Canadian citizen, I'm honoured and pleased to say, my citizenship paper was signed by Ellen Fairclough during her time as Minister of Citizenship and Immigration.

As Minister of Citizenship and Immigration, she made significant contributions to eliminating racial discrimination from Canada's immigration policy, and she changed Canada's policy of not accepting refugees afflicted with tuberculosis. In 1962, she was appointed Postmaster General. Her career ended in 1963. However, in 1995 her autobiography, entitled *Saturday's Child*:

*Memoirs of Canada's First Female Cabinet Minister*, was published.

An accountant for 22 years, Ellen Fairclough served on the boards of many foundations and charities, including the Girl Guides and the Consumers' Association of Canada. She received numerous honours over the years, including being named an Officer of the Order of Canada in 1978 and a Companion of that order, the highest level, in 1995.

Today Ellen Fairclough is being remembered, and I quote, "in her professional, voluntary and political life, as a pioneer, trailblazer and role model," according to Stephen Harper; as a cabinet minister who, according to Joe Clark, "tried and succeeded in bringing a sense of compassion to those offices"; and, according to her niece, Dr Joan Heels, as "a great lady full of wit and charm."

Yes, Ellen Fairclough was a woman who advanced the role of women in public life. She certainly, to this day, has inspired many other female politicians to follow in her footsteps. On behalf of our caucus, I would like to express our sincere condolences to her family.

**Ms Andrea Horwath (Hamilton East):** It is an honour to speak today to give witness to the great parliamentary career of the Honourable Ellen Fairclough.

Ms Fairclough was born in Hamilton in 1905 and was first elected to the House of Commons in a by-election on May 15, 1950, as the member for Hamilton West. Coincidentally—or perhaps there were higher forces at work—54 years later to the day, on May 15, 2004, another woman, also born and raised in Hamilton, was elected in a by-election, this time in Hamilton East, and that woman was me. It's because of the breakthrough work that was done by women like Ellen Fairclough that women like me have had the courage and the opportunity to enter political life and to succeed. Quite frankly, to even consider a career in politics is as a result of trailblazing women like Ellen Fairclough.

In the House of Commons, Ellen Fairclough averaged 150 speeches a year, especially on her favourite topics, such as housing, income tax, unemployment insurance, the post office and, of course, the status of women. She introduced private member's bills for equal pay for work of equal value. She was a member of Parliament for 13 years, winning one by-election and four general elections. She served in such high-profile cabinet posts as Secretary of State, Minister of Citizenship and Immigration, and Postmaster General.

Every day, Hamiltonians are reminded of Ellen Fairclough, as our community has a government building that bears her name and celebrates her considerable contributions. In Hamilton, Ellen Fairclough has been, and will continue to be, a household name.

During her time in office, and for a decade or two thereafter, women made considerable gains in the Canadian and Ontario Houses of Parliament. But today, the number of women representatives is stalling and, in some cases, even falling. Canada ranks 36th in the world, far behind most other democracies, in the number of women members of Parliament.

We know that gains are possible. Wales has over 50% women; Quebec is up to 30% women. Gains in Canada and other jurisdictions are, however, correlated to reforms in campaign financing, nomination processes and electoral systems. The NDP will continue to fight for these kinds of changes. Women and men across Ontario and in the rest of Canada need to keep fighting and working to make sure that the representation of women becomes a reality and stays that way. As I look around the chamber today, I see the pages we have among us, and I see there are many bright women in their ranks.

Every March, we celebrate International Women's Day. I know that young women across our province and across our nation are aspiring to participate to their fullest in every profession, every trade, every type of business, every workplace and every position of electoral office.

We're grateful to Ellen Fairclough, Canada's first female cabinet minister and a strong Hamiltonian, for setting such a strong example for us all to follow. In marking her passing, we should all commit to bringing about the changes that will lead to the equal representation of women in all professions, as well as in this and our federal House.

On behalf of my NDP colleagues, I would like to extend my sincere condolences to her family and to all Canadians and Hamiltonians whose lives she touched.

**The Speaker:** All tributes paid today will be forwarded to members of the family. We all salute this great Canadian.

## ORAL QUESTIONS

### TAXATION

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. In election campaign promise number 226, you said, "We will hold the line on taxes," and in promise 227, "We will not raise the debt." Then there was the whopper, super-sized promise, the taxpayer protection promise, where you said, "I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise that if my party is elected as the next government, I will not raise taxes or implement any new taxes without the explicit consent of Ontario voters; and not run deficits." You signed that last September in Toronto.

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Today, we have the Canadian Taxpayers Federation, the people with whom you signed this pledge, in court trying to get you to honour your promise to the people of Ontario. The bargain was clear: You would not raise taxes, the people of Ontario would vote for you, and you would be the Premier and the government.

Well, you got what you wanted. The taxpayers of Ontario fulfilled their part of the bargain for you. Now it's your turn to fulfill your side of the bargain, but you didn't do it. You raised taxes.

What instructions have you given government lawyers going to court today in Toronto? Have you told them to say that you kept your promise?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm delighted to have the opportunity to speak with the member opposite on this issue.

It's really hard to figure out, from one day to the next, where the Tories are going to land on a host of issues. I want to remind the member opposite that today, apparently, he champions the Taxpayer Protection Act, but on June 27, 2002, he and so many of his colleagues voted in favour of breaking that very same law. So it's perhaps a little bit surprising over on this side that on one day they are champions of the Taxpayer Protection Act, but, apparently, on other days they are not.

**Mr Flaherty:** It is the now Premier's promise, with his signature on it, signed at the Sheraton Centre in Toronto. Not only did he do that, he had his Liberal Party have a series of ads on television and on radio. What did they say? They quoted today's Premier as saying, "I won't raise your taxes, but I won't cut them either." That was the pledge made by the now Premier of Ontario when he was running for office. It was in his platform. He had his party pay for the ads. Now he has not Liberal Party lawyers in court, not his own lawyers in court; no, he has a fleet of government lawyers in court.

Assure the people of Ontario, Premier, that you will not spend one penny of taxpayers' dollars, one dollar paid in taxes by the working families of Ontario, to defend your broken promise in court.

**Hon Mr McGuinty:** The assurance that I will provide to the people of Ontario is that because of our new legislation, the first of its kind in Canada, the Fiscal Transparency and Accountability Act, no government in this Legislature will ever again be able to hide a deficit from the people of Ontario, especially a \$5.6-billion deficit.

**Mr Flaherty:** I'm asking you about today. I'm asking you about using government lawyers, paid for by taxpayers, to defend what you said when you were running for public office.

*Interjections.*

**The Speaker (Hon Alvin Curling):** It's pretty early in oral questions for us to be shouting like this. Final supplementary?

**Mr Flaherty:** Your Liberal Party has got lots of money, Premier. They've got enough money to buy you a house in Rosedale. You've got the president of the Liberal Party sitting right here. Why don't you tell the president of the Liberal Party today, why don't you tell the corporate people paying for your house in Rosedale? Let them pay for the lawyers who are defending your broken promise that helped get you elected as Premier of Ontario. Tell us why the taxpayers of Ontario should pick up your tab for your broken promise. Tell us why the taxpayers of Ontario should foot the bill for you putting your foot in your mouth at their peril.

Support the working families of Ontario. Stand up and say that their tax money will not be used to foot the bill for your broken promise.



**Hon Mr McGuinty:** Well, it's always a lot of fun, I can tell you, perhaps just a little bit too delicious, getting a lecture from one of the champions of the Magna budget, the first of its kind in the country to deliver a budget outside this Legislature.

I also understand why they don't want a reminder of their own particular record. The Conservatives want us to forget that they actually promised to outspend us on both health care and education. They also promised, at the time of the last election, to cut another \$5 billion in taxes and make \$5 billion in debt repayments. The only thing that they have been consistent at, since the time of the election and in fact prior to the election, is hiding the fact from the people of Ontario that they hid a \$5.6-billion deficit. We had some choices to make, we made those choices, and those choices are in the interests of the people of Ontario.

#### STUDENT DROPOUT RATE

**Mr Frank Klees (Oak Ridges):** My question is to the Premier, in the absence of the Minister of Education. The Minister of Education has made himself the official parent of Ontario. He started off by telling us that he is going to tell kids what they're going to eat. Now, his latest announcement: He's making himself the Big Brother of Ontario. He is, under your blessing, now going to ensure that our youth, to 17 and 18 years old, are going to be forced to stay in school. Premier, can you tell me—

*Applause.*

**Mr Klees:** The applause that you just got from your colleagues tells me that either you or they have never had a discussion with a 16-, 17- or 18-year-old about their struggles in school. Premier, can you tell me what steps you will take to enforce the fact that these young people will be forced to stay in school?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me take the opportunity, first of all, to say that I'm very proud of the work our Minister of Education, Gerard Kennedy, is doing on behalf of all Ontario students.

Secondly, I am surprised by the position being adopted by Mr Klees and his party. Close to 30% of Ontario high school students are not completing their certification. They're not getting a high school diploma—30%. We think that is unacceptable. He may be prepared to write off 30% of the younger generation and allow them, at the beginning of the 21st century in a knowledge-based economy, to somehow seek out some kind of meagre existence on the basis of a grade 10 or 11 education. We are saying that this may not be an easy challenge to overcome, but we are prepared to take it on. We feel we owe it to those young people in particular.

**Mr Klees:** There isn't a parent in this province who would disagree that it's not appropriate and helpful for students to complete their education. But let's deal with what is practically and realistically possible in this province.

I want to know from the Premier what specific apprenticeship programs he will commit to implement in this province to ensure that those 30% who are not academically inclined and cannot in fact deal with the current academic requirements will have a meaningful curriculum to pursue. Will you today commit to funding for specific apprenticeship programs for those young people in this province? Let us hear the specific commitment.

**Hon Mr McGuinty:** One of the things we have made perfectly clear is that these students do not necessarily have to complete their learning inside the traditional classroom setting. I think we've all had colleagues in high school with whom we made friends along the way who found it very difficult to learn in that particular kind of setting. One of the things we've committed to is to create 7,000 new apprenticeship spaces. Beyond that, we have, through our first budget, a proposal to create a tax credit: We're going to pick up 25% of the cost for a business to take on apprenticeship. There is a fundamental, practical, pragmatic way, just one of many ways that we are putting forward, to ensure that young people in Ontario continue to learn until the age of 18.

1440

**Mr Klees:** In this province, children can leave home at the age of 16 and avoid parental control. This Premier is now saying that he and his government and his Minister of Education will go after those young people in our province today who are not under parental control—who, for their own reasons, have taken upon themselves a role of independence—force them into school and, if they don't stay there, he'll throw them in jail. I want to know—

*Interjections*

**Mr Klees:** That's exactly, precisely what you have said.

Premier, I want to know, first of all, what you are going to do to ensure that those young people comply with the new McGuinty Ontario, where kids up to 18 are forced to be in school. You are going to punish them—

**The Speaker (Hon Alvin Curling):** Thank you.

*Interjections.*

**The Speaker:** Order.

**Hon Mr McGuinty:** This is just plain silliness on the part of the opposition. We understand, and I can tell you as the father of four kids, now between the ages of 19 and 23, that I have some basic understanding of some of the challenges connected with motivating young people and getting them into places where they might not naturally be inclined to go.

To repeat again, we're not insisting that young people remain in the traditional classroom setting. We want to create more apprenticeship opportunities; we want to create more job placement opportunities where young people can, in a real and meaningful way, learn on the job; we want to create more co-op programs. The idea here is not to come in with a typical Tory approach and threaten jail; it's to find ways to engage young people, to help them understand that it is in their enlightened self-interest that they continue learning until the age of 18.

Our mothers have been telling us for centuries that generally those things that are worth doing aren't easy to get done. We understand that with respect to this matter in particular. We are determined to move ahead and ensure that young people in Ontario continue to learn until they reach the age of 18.

#### PICKERING NUCLEAR GENERATING STATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Under the former Conservative government, we saw cost overrun after cost overrun at the Pickering nuclear generating station unit 4. You were very critical of the former Conservative government's hydroelectricity policy. During the election, you said to the people of Ontario, "Choose change." Well, today we learned that under the McGuinty government, unit 1 of the Pickering nuclear station is now \$175 million over budget. My question is, can you tell all the people of Ontario who believed you when you said, "Choose change," can you tell all the people of Ontario who are worried about being able to pay their hydro bill, where the change is?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Energy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** First of all, the project is not \$175 million over budget. Today the board reported that there's a projected overrun of between 7.5% and 10%, which is due to the time to get the plant started up. The project is 54% complete and is ongoing. It needs to be noted that the current forecast is just that; it's a projection. The board still believes there's an opportunity to come in under that projected cost and time frame.

**Mr Hampton:** It was the Premier who said, "Choose change," and I would hope that the Premier would answer this, because the project is in fact \$175 million over what you said. This is the report by your good friend John Manley, a long-time Liberal—not some Conservative insider—who said that Pickering unit 1 would cost \$825 million. He gave you this report on March 15. Here we are now, on November 15, eight months later, and the chair at OPG, Jake Epp, says that it's going to cost \$1 billion. That's a \$175-million cost overrun; 20% in eight months.

You said, "Choose change." Can you tell me where the change is when the cost overrun is 20%, \$175 million in eight months, under the McGuinty government?

**Hon Mr Duncan:** When we announced the Pickering A1 refurbishment, we announced the projected cost at the time as \$900 million. That was in June. Mr Epp did not say that the project would come in at \$1 billion today; what he said is that there is a 7.5% to 10% variance projected, based on results today.

The change is that, for the first time, a government is making that information public, unlike the Tories, unlike the previous government. When faced with similar circumstances, they chose not to reveal it. They had 13 project delays and 11 cost overruns.

This project is 54% done right now and there's a potential variance of 7.5% on \$900 million, which was the figure this government put out in June.

The real change is a government that's committed to fixing the mess in the energy sector. We're doing it, we're doing it prudently, and we're going to ensure that the lights stay on in Ontario for years to come.

*Interjection.*

**The Speaker (Hon Alvin Curling):** The member from Nepean-Carleton, could you just come to order, please.

**Mr Hampton:** I just want to quote someone who said on July 7 of this year, "Rest assured, we will not allow a repeat of these mistakes. This government will not write blank cheques."

"We will be vigilant in observing the progress of this project. Rigorous public scrutiny will ensure that the project stays on track and on budget."

Who said that? Dwight Duncan. Now we're \$175 million over budget.

It doesn't end there. The Conservatives were going to privatize any of our river sites that have the potential to generate hydroelectricity. What did the McGuinty government announce last week? They're going to privatize any of our remaining river sites that have the potential to generate electricity. This is exactly the same agenda that the people of Ontario had under the Conservatives.

Dalton McGuinty said, "Choose change." What the people of Ontario are getting are sky-high hydro bills and the same electricity policy that failed under the Conservatives. Where's the change, Premier? Where's the change?

**Hon Mr Duncan:** At Pickering A unit 1, there is a projected overrun of 7.5% at this point. On Pickering A unit 4, it was 400%.

We have kept our commitments in June and July. We've brought full accountability. We've appointed a new board with people who understand the industry. That's number one.

Number two, the project is now 54% complete. It was at this point in the last example that the cost overruns were considerably higher.

I said at the time—and the member conveniently left it out—that this is a high-risk project, but it's one that had to be undertaken to ensure that the province's electricity supply in the short term remained full.

There are no easy solutions to this problem. What this government has done to change the past is, number one, we're addressing the problems; number two, we've provided openness and accountability; and number three, we have a plan that's working to ensure that the people of Ontario have continued access to reasonably priced electricity.

#### AUTISM TREATMENT

**Ms Shelley Martel (Nickel Belt):** I have a question to the Premier. Premier, the Provincial Auditor has recently released a—



*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Let us see if we can get some control here today. The member from Nickel Belt.

**Ms Martel:** I have a question for the Premier. Premier, the Provincial Auditor has recently released a scathing report of the government's intensive early intervention program for autistic kids. He reported at the end of March 2004 that some 1,200 children were languishing on a waiting list hoping to get IBI treatment. At the same time, by the end of March 2004, a total of \$16.7 million had not been spent, even though it had been budgeted for the program, and some of the money wasn't spent under your government, Premier. As a result, there are hundreds of autistic children who waited on a list, turned six and never got a day's worth of IBI treatment because this program is so grossly mismanaged, first by the Conservatives and now by your government.

Tell me, Premier, for all of those parents to whom you said, "Choose change," where is the change when their children are languishing on a waiting list just like they did under the Conservatives?

1450

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to begin by thanking the auditor for his work. You may know that we fully supported this audit. We welcome the recommendations. I can tell you that the minister made me aware that there were a number of challenges connected with her portfolio, including these.

I'm delighted to tell the member opposite about some of the things that we have done to address—we did not wait for the auditor's report. We have improved reporting requirements of our service agencies so that programs are now managed more efficiently. We're improving the clarity and consistency of information we receive from service providers so data is comparable and able to track the progress of programs. They tell me that before we got this responsibility of forming the government here, if you can believe this, there were no regular meetings between the ministry's regional staff and the service providers. We have now insisted that those take place on a weekly basis. So we are in a much better position now to know exactly what is happening.

**Ms Martel:** Premier, you haven't read the report. You don't understand how serious it is. You don't even understand that the report was just recently finished and that it's a condemnation of what's happening now in your government with respect to this program. The auditor reported that those children who were lucky enough to get IBI are regularly shortchanged of the hours of treatment they are promised. Many therapists are providing, on average, 15 hours a week of treatment, when the average for that agency is supposed to be 23. In one agency alone, every child lost, on average, over four hours of IBI treatment every single week. And the worst part is that each agency got paid fully for the treatment that they promised to provide but didn't deliver. You were the government that said to people, "Choose

change." What do you say to these parents whose children are regularly being shortchanged of the treatment that they need?

**Hon Mr McGuinty:** Again, to make it perfectly clear, all the government money that was committed to this did in fact flow. It ended up in the hands of our service agencies and there was a disconnect between ministry oversight and those service providers. I've just detailed some of the things that we have done to ensure that we are paying much closer attention to what our service providers are doing. We look forward to doing more. And again, I welcome the auditor's report.

**Ms Martel:** That's a strange answer, because do you know what your minister said in response to the release of the report? She said that she was going to do another review to get to the bottom of what is happening in the program. Here's the review that the Ombudsman did of this program, which was released in June. He was very critical of the program. Here's the review that was released last week by the Provincial Auditor, who is very critical of this program. We don't need any more reviews. We need your government to live up to the recommendations that were put forward both by the Ombudsman and the Provincial Auditor.

Look, Premier, no more reviews, no more stalling, no more delays, because it will mean that children will go without treatment and it will mean that the children who do get some treatment will never get the hours of treatment that they have been promised. I ask you again: You told parents of autistic children to choose change. Where's the change for autistic children in Ontario?

**Hon Mr McGuinty:** I just don't think the member wants to take yes for an answer. Again, we supported the audit. We supported making the audit public. We've taken specific steps, even before the release of the report. I've just detailed some of those, and I'm pleased to list them again if that's what the member seeks. But I can tell you that in addition to that change, which provides for a much closer oversight mechanism between ministry staff and our service providers, I'm also pleased to report—the member asks what we have done by way of change and what we're doing to help children. We have hired 40 new therapists and psychologists to provide IBI treatment to 20% more preschool-aged children. We've hired 80 new autism consultants to help teachers support children with autism in the classroom. We've been doing a great deal. We know there's more to be done and we look forward to doing it.

#### PHOTO RADAR

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Transportation. Minister, we learned this weekend that your office was working with an agency called the National Campaign to Stop Red Light Running, which in this case was promoting photo radar, what we call the tax grab. Your office was aware that this group is a front for photo radar camera manufacturers, who stand to make outrageous amounts of

money if photo radar is brought back to our province. Do you support this action and do you believe that big photo radar companies should be using your office as a promotional tool to promote photo radar and make outrageous amounts of money off of the citizens of our province?

**Hon Harinder S. Takhar (Minister of Transportation):** Let me tell you, I am always interested in any initiative that will improve safety on the roads.

The other thing is, I want to point out for the record that—the red light cameras were in fact initiated by the previous government. What we did was make them permanent at the request of the municipalities, and we will consider any initiatives that will improve safety on our roads.

**Mr Dunlop:** I want to let you know that we cancelled photo radar on this side of the House.

Minister, this e-mail originating from your office refers directly to someone who works for Affiliated Computer Services, Inc as the person organizing the event in question. The person is not a registered lobbyist, contrary to the Lobbyist Registration Act. This is clearly more than stakeholder relations and relations around public safety. This is allowing your office to be used by a company that stands to make outrageous amounts of money. When we opened the properties on the electronic version of the press release being issued, we learned that the author was a staffer in your office. Minister, why and for how much longer will your government continue to act as an agent for this company?

**Hon Mr Takhar:** Maybe this will come as a surprise to this member, but I want to tell you that we are always interested in working with all of our partners to improve safety on the roads, and we will continue to do so.

#### STUDENT DROPOUT RATE

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Premier. Premier, last week you announced you will force students to stay in school until the age of 18 and that you would promise \$70 million to school boards to implement your law. Last October your ministry estimated that to keep 75% of the students from dropping out, it would cost approximately \$200 million. Your funding covers a mere third of that. Parents and teachers suspect that this is little more than a public relations exercise, and I have to tell you, I agree. If you believe in your plan, why are you funding only a quarter of students to stay in school?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Now we've learned that both the Conservatives and the NDP are opposed to requiring that young people continue to learn until the age of 18 in the province of Ontario. They are wed to a very, very old law—I think it's 50 or 60 years old—that requires that young people stay in school only until the age of 16.

We are going to require that young people continue to learn until the age of 18. They do not have to do so within the confines of a traditional classroom setting.

One of the things that we've already done is begin to unfold our plan to create 7,000 new apprenticeships. This budget specifically provides for a new apprenticeship training tax credit that enlists employers of every kind in the province of Ontario to take on an apprentice, and we'll pick up 25% of the cost of those apprenticeship wages. That's the kind of practical, pragmatic thing that we are doing as we begin to do something that should have been done, frankly, a long time ago: take a real interest in young people and make sure they continue to learn.

**Mr Marchese:** Now we learn that the Premier can't, or is unwilling to, answer the question.

According to your funding formula, boards get \$4,771 to provide each student a place in school. Simple math dictates that the cost of providing classroom space for 25,000 students is \$119 million, \$49 million less than your commitment. If they have special education or ESL needs, as indeed most of them do, the cost increases by a potential 57 million bucks more. You've only allocated a fraction of that amount.

Can you explain how you plan to have 25,000 drop-outs when your plan won't even cover the cost of keeping them in class, much less providing the new programs and improved support that will help them to graduate?

1500

**Hon Mr McGuinty:** To adopt the approach promoted by my good friend opposite would be to say that you can't improve student achievement, so just give up on that. You can't shorten wait times when it comes to health care, MRIs, CTs, cataracts, so throw up your hands and just give up on that. Apparently, we cannot and should not even bother trying to require that young people continue to learn until the age of 18.

Well, we are going to do that. We are determined to do that. It may not be an easy thing to do. We may encounter a few bumps along the road, but that does not relieve us of the responsibility to ensure that young people are equipped to succeed in this new knowledge-based economy. We are determined to ensure that they realize their potential, and we will do what it takes to get it done.

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Mr Jeff Leal (Peterborough):** My question is for the Minister of Public Infrastructure Renewal. The Canada-Ontario municipal rural infrastructure fund is a big step forward in enabling small communities to improve their infrastructure. As you know, my riding was devastated this summer by flooding and there's a lot of infrastructure in need of repair and enhancement. Minister, can you tell me how my constituents can best make use of this fund and what this means to the city of Peterborough?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I want to thank the member for the question, and I want the member to understand that we understand the unique challenges that exist in the city of Peter-



borough. In fact, our government was on the job, quick to respond with relief funding when it was needed to address those needs. In fact, the Premier was in Peterborough within 48 hours of that tragic circumstance.

COMRIF is yet another way that our government is able to help with the specific needs of small urban and rural Ontario. COMRIF is an investment in small urban and rural municipalities to support capital projects to help build safe and clean, livable communities in this province.

I was in Peterborough this morning and I handed Mayor Sylvia Sutherland the very first application for COMRIF. I would encourage all of the members and all the municipalities to go to [www.COMRIF.ca](http://www.COMRIF.ca) for an on-line application. In fact, it is a fabulous program and it's creating a great deal of excitement in Ontario today.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mrs Carol Mitchell (Huron-Bruce):** It's very good to hear that COMRIF will benefit small cities such as Peterborough. But what about small communities in very rural areas? Small communities in my riding, such as Blyth, Bayfield and Kincardine, are also very much in need of sound infrastructure. Agriculture, which is the mainstay of the communities in my riding and many other ridings in Ontario, requires good roads and bridges to be efficient. These small communities, and many others across Ontario, are also in need of good waste water treatment. Mr Minister, can you tell me and the people of Ontario what COMRIF will do to enhance waste water treatment for small communities across the province?

**Hon Mr Caplan:** In fact, COMRIF was designed by municipalities for municipalities. AMO was a big part in the program design for the very first time in the province of Ontario's history.

Our government recognizes the unique challenges of small communities in dealing with some of the large infrastructure deficits left behind by the previous two governments, particularly in the areas of water and waste water and roads and bridges. That's why COMRIF, in association, by the way, with the Ontario Strategic Infrastructure Financing Authority or OSIFA—the combination is a powerful tool to be able to meet some of those infrastructure needs. By ensuring the strength of our small and rural municipalities here in Ontario, we ensure a strong province. It's a very proud day for all of us here in this Legislature.

## COMMUNITY HEALTH CENTRES

**Mr Norman W. Sterling (Lanark-Carleton):** My question is for the Premier. You have been giving inadequate increases to local hospitals in Ottawa. Your answer to that charge is that you're going to provide health care in a different way: through means such as community health centres. That's why local residents were stunned recently when you ignored the city once again, refusing to include it in the announcement of new community health centres. The consequences will be

longer wait times at our hospitals and reduced access to care in our Ottawa communities.

Premier, your Minister of Health knows of the merits of the excellent proposal put forward by the Western Ottawa Community Resource Centre. We have demonstrated that with its rapidly growing population, west-end Ottawa should top the priority list when it comes to expanded health care services. Can you inform the citizens of Ottawa why you have denied them any access to new community health centres?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I suspect that the people of Ottawa would want to know why for eight years your government deprived all communities in Ontario of an expansion of community health centres. We are a government, one year in office, that has moved forward with a \$21-million expansion of community health centres.

It's particularly interesting that on the very same day that a colleague of the honourable member, who represents the riding of Renfrew-Nipissing-Pembroke, came across the way and said, "Thank you very much for the expansion in the form of a satellite community health centre," that this member, for eight years in cabinet, did not deliver for his community, nor for any community in Ontario.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr John R. Baird (Nepean-Carleton):** I want to ask the supplementary to the Premier. He is the senior member opposite representing, at least last I heard, a constituency in Ottawa. The association representing community health centres across Ontario a number of years ago developed a list of 10 priorities, among which was the western Ottawa community health centre proposal and the proposal that was advocated by the Nepean Community Resource Centre. South Nepean is bursting at the seams, and the Premier owes it to explain to people in Ottawa-Carleton why their proposal, an excellent proposal, was so rejected by him and his government. Could he do that?

**Hon Mr Smitherman:** I wish I had more time, because I could ask the honourable member about his record as a member of the government: what they did in Ottawa to Montfort, what they threatened, what they did to CHEO and the like. All the community health centres in Ottawa, like all other community health centres in Ontario, got a substantial increase to their budgets. But way more than that, what we're in the midst of, as a government, is bringing forward family health teams, which find their roots in the interdisciplinary way that community health centres operate.

In Ontario, before the end of this fiscal year, 45 additional communities will receive family health teams, and those that will have the first shot at these are the very same communities that have made application for community health centres. That's our commitment to meaningful primary care.

*Interjections.*

**The Speaker:** The member from Hamilton East, let me just wait until discussion between some members here quieters down.

New question, the member from Hamilton East.

### CONSUMER PROTECTION

**Ms Andrea Horwath (Hamilton East):** My question is for the Minister of Consumer and Business Services. Your colourful calendar, marking Consumer Awareness Week, offers tips on how to avoid being defrauded by shady companies. But in the meantime, you're not doing your share to protect people from fraud in the fitness club industry, particularly.

Consumer complaints about fitness clubs in Ontario now number in the thousands. The number grew by almost 400 during your first year in office. More than 700 complaints and inquiries were lodged with your ministry against one single company alone between 1999 and 2003.

1510

Minister, if you've known for years about the hundreds of consumer complaints against Premier Fitness, why is it still taking money from consumers' bank accounts without authorization? Why aren't the banks being told to keep a closer eye on withdrawals by Premier Fitness and other companies with poor track records? When are you going to start really protecting consumers by holding these companies to account?

**Hon Jim Watson (Minister of Consumer and Business Services):** Of all the members to ask that question, the member from Hamilton East wasted more time calling recorded votes and adjourning the House when I had Bill 70 before this Legislature. Bill 70 would have given greater protection to those people she talks about in the Hamilton Spectator series on fitness clubs.

I would ask the honourable member to apologize to this House and to the people who have been ripped off by fitness clubs for stalling Bill 70. I ask her to pass it speedily at committee and then back here at third reading so we can help protect consumers in the province of Ontario.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. We get fewer questions if we continue like this. Final supplementary?

**Ms Horwath:** Notwithstanding the government's inability to get any legislation passed, I guess I'm doing a very good job here, as a matter of fact.

But, Minister, you're the one who told the Hamilton Spectator that the only thing you could think of to deter disreputable firms is a fine. That's just a slap on the wrist. That is not consumer awareness. You're hiding behind a law that puts the so-called privacy rights of these shady businesses above the right of consumers to know what they're getting into. Don't you think a better deterrent would be to post these corporate bad apples in some type of public forum? Consumers shouldn't be the

vulnerable ones in these situations. The companies and banks need to be held accountable.

In the spirit of Consumer Awareness Week, will you publicly post the charges and convictions against these fitness clubs so consumers can decide for themselves?

**Hon Mr Watson:** Let me set the record straight. We've laid over 40 charges against some of the bad apples in the fitness industry. I'm proud of the three convictions my ministry has helped to secure to protect Ontario's consumers.

The fact of the matter is, the honourable member clearly did not even read the bill. If you look back at Hansard on June 22, 2004, she said, "This bill is scratching the surface of a lot of different things without really making significant changes in any one area." She clearly hadn't even read the bill. I would encourage the honourable member to read the bill and participate in the debate. I would urge the member, as I would urge the Conservatives, who are great fans of negative-option billing, to pass Bill 70 unanimously.

Mr Speaker, I ask for unanimous consent that Bill 70—a bill that is going to help protect consumers, which the McGuinty government has considered a priority—pass right away.

*Interjections.*

**The Speaker:** We seem to have many speakers here. They're running the show here. I don't even know what I'm asking unanimous consent for, because I could hardly hear what was being said.

*Interjection.*

**The Speaker:** You're asking for unanimous consent to move third reading of the bill. Do I have unanimous consent? I heard a no.

*Interjections.*

**The Speaker:** Order. We can't get a point of order if we don't have any order.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order: I seek unanimous consent to put a motion to call Bill 70 for third reading today, with a vote on third reading at 6 o'clock this evening.

*Interjections.*

**The Speaker:** Order. I understand that Bill 70 is now in committee and you'd have to have a discharge order from the committee before—

*Interjections.*

**The Speaker:** Order. I would have to have a discharge order from the committee.

**Hon Mr Duncan:** On a point of order: I seek unanimous consent for a discharge from the committee and third reading this afternoon, with a final vote on third reading at 6 this evening.

*Interjections.*

**The Speaker:** Order. The government House leader has asked that Bill 70 be discharged from the committee, bringing it back to the House, and that we have third reading of the bill here, to be finalized at 6 o'clock. Do I have unanimous consent?



**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker—

*Interjections.*

**The Speaker:** Order. I've heard your point.

**Mr Hampton:** On a point of order, Mr Speaker: Since this is in committee, and since we would be doing away with committee, I ask for unanimous consent to bring the bill forward for third reading debate this afternoon and this evening and vote on it at the end of this evening.

*Interjections.*

**The Speaker:** Order. There's a point of order that I'm trying to deal with. If you were concerned about the time in question period, you'd have all listened to the point of order, voted and moved on it. It was before the House and, as has been stated, everyone has a different view. I want to deal with that matter now.

Does the government House leader have a point of order?

**Hon Mr Duncan:** On a point of order, Mr Speaker: I seek unanimous consent to discharge Bill 70 from committee and bring it back to the House for third reading debate at this afternoon's session, for third reading vote at 6 pm. I remind the leader of the opposition that he voted against sitting tonight.

*Interjections.*

**The Speaker:** Order. Let me just say this again. The government House leader has moved that Bill 70 be returned from the committee and be voted on on third reading by 6 o'clock this afternoon.

I heard a no.

New question.

1520

## FOREIGN-TRAINED DOCTORS

**Mr Bill Mauro (Thunder Bay-Atikokan):** My question is for the Minister of Training, Colleges and Universities. Minister, last week you announced two new funding programs for internationally trained medical graduates. Ontario is the fortunate recipient of talented immigrants from all over the world. Minister, up until now, many of these graduates have been unable to practise their profession because of communication and cultural barriers. They do not have a full understanding of how best to communicate with patients in their new home of Ontario, and they also require greater knowledge on legal and ethical issues surrounding health care in our province. How will last week's announcement help to change that?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I appreciate the question from the member from Thunder Bay-Atikokan.

I was very pleased last Friday to join with my colleague the Minister of Health and Long-Term Care to announce two new initiatives for internationally trained physicians. I'm happy to say that the first initiative is, indeed, a communications and cultural competence project, which we are working with the College of Physicians and Surgeons to deliver. This will enable inter-

nationally trained physicians to prepare for the licensing examinations, and this will complement the IMG Ontario program that the Minister of Health and Long-Term Care announced earlier this year. We, in fact, more than doubled the number of residency spots for internationally trained physicians, and this will help those physicians to qualify for those placements.

**Mr Mauro:** Minister, I know that as part of your announcement you also announced a new program that takes a further step toward addressing the unemployment and underemployment of internationally trained medical graduates. As you know, Thunder Bay and many other communities like it have been underserved for many years when it comes to health-related professions, not just family doctors. We know that a variety of health professionals will have an important role to play in a successful, integrated health care system.

Minister, could you provide further details on this new project, and explain how such a program will help to address shortages we have in health-related professions in cities like Thunder Bay?

**Hon Mrs Chambers:** This is another example of our government working in consultation with the people of Ontario. This is an initiative that we are funding to the tune of \$1.5 million, with the Association of International Physicians and Surgeons of Ontario. They will help to address shortages that we're experiencing throughout health care and provide informed options, if you like, for individuals who could practise in a variety of health care professions throughout the province of Ontario. We anticipate that this will serve something in the order of 1,000 internationally trained physicians and ensure that their skills are brought to bear for the benefit of the people of Ontario, and also for their successful integration into the province.

## PIT BULLS

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Premier. Premier, I'm sure you have an issue note dealing with your government's decision to ban pit bulls. I just hope it wasn't written by your Attorney General, given his inability or unwillingness to provide accurate information on this issue. In fact, the Attorney General has made a string of comments that don't bear up to investigation. Virtually every organization that the Attorney General claims supports the legislation is opposed. These include the Humane Society of Canada, the Ontario Veterinary Medical Association, Canadian Kennel Club, Canadian Federation of Humane Societies, Toronto Humane Society, Winnipeg Humane Society, Canadian Safety Council, the Dog Legislation Council of Canada, the Pet Industry Joint Advisory Council, the Animal Alliance of Canada, and the list goes on.

Premier, it appears that your Attorney General, in the interest of grabbing headlines and not public safety, has introduced legislation that does not adequately address the issue of dangerous dogs and has done so with claims

of support that were either misunderstood or worse. Will you withdraw this flawed legislation and initiate real and meaningful consultations to address the problem of dangerous dog attacks?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Attorney General, Speaker.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** We have an interesting debate underway, there's no doubt about it, in the province of Ontario on this subject. We've heard from many sides. The member lists some people who have many questions about the bill. He may also, in his supplementary, want to list the many mayors and chiefs of police who support the bill and also the victims of pit bull attacks. It was just a couple of weeks ago that, sadly, a pit bull killed a small dog here in Toronto. It was just the latest in the litany of attacks that we've had. This government is intent on ensuring that we have safe communities. We're doing that through this bill that addresses not only pit bulls but all dangerous dogs. We certainly are on the side of making our communities safer and protecting victims of pit bull attacks. I'd like to know whether the official opposition supports the bill or not.

**Mr Tascona:** What you're suggesting with respect to this pit bull issue—you have put out to the public that you are going to be changing the Dog Owners' Liability Act when, in fact, you're not. All you're doing is increasing fines. People out there think you're actually doing something new.

The reality is that the Attorney General cited a US study that said one third of fatal dog attacks between 1979 and 1998 were caused by pit bulls. In other words, we're going to deal with one third of the problem and ignore the other two thirds. Premier, your Attorney General, in his rush to get his mug on TV, failed to consult the experts in the field and used false claims of support to justify his actions. In short, he has botched this badly. Once again, will you stop this public relations game and deal with a serious issue in a serious and meaningful way? Pull this legislation and bring in comprehensive and effective dangerous dog legislation.

**Hon Mr Bryant:** Again, this is an interesting debate. I'm still not clear where the Progressive Conservatives are on this issue. Are they in favour of the bill? Are they in favour of protecting Ontarians from pit bull attacks, or are they against that? I get the impression that they're opposed to this bill, so we're having a debate in this Legislature on that very subject.

It is absolutely the case that we have spoken with every expert that we can try and speak to, that we've heard from all sides on this. But let's be clear: We are going to proceed and we are going to advocate for this because we feel it is in the interests of protecting victims, not only victims of pit bull attacks—human beings—but their pets as well. We're on the side of the victims; they're on the side of pit bull rights. Let the debate begin.

## ASSISTANCE TO DISABLED

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of Community and Social Services. Last month I asked you about a family in eastern Ontario that was looking for the rebate, and you know all the mess that was there. I want to ask you, have you done anything to help that family yet?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I very much appreciate this question today. Each time that this particular MPP brings forward a question in the House, we go back to this individual's office to look for the details on those specific cases. We have a hard time getting that kind of information from his office to do the follow-up.

What we committed to do in the area of the home and vehicle modification program is to take all of these requests that we have, to see if we can still manage it, because there are people out in our communities who did miss a deadline, who didn't know about information that was out there. We are trying to be very reasonable about this so that we can help as many people as possible. So we'd appreciate, with each question, if you would follow up with us when we call you, give us the information we need so that we can help people in your community.

**Mr Prue:** My office informed your office of everything. Mr Chenier has written a complete letter and your officials have sent him to the March of Dimes, back to the same agency that refused him in the first place.

Madam Minister, with the greatest of respect, what you have just said in this House is not correct. It is absolutely not correct. Our office has contributed, Mr Chenier has contributed, and what I want to know from you now is, why are you sending him back to the same agency where the answer will be identical to what it was before, when you yourself promised that you were going to help him? You yourself promised you were going to intervene, and you have done nothing.

1530

**Hon Ms Pupatello:** I find that astounding, to this MPP. I think that most MPPs in this House have realized by now that this is a McGuinty government that is intent to help people actually in need. When we have made policy changes, we have done it to benefit people, not to make life more difficult. When this particular member asks a question in the House, I would just ask you politely to please follow up with our office with the detail, because we try to do that. We try to fix things. We actually try to help people. When we talked about this revamping of the HVMP, we said, "Please get us information if there are people who we know have missed deadlines." We'd appreciate that. We're actually trying to help people on this side of the House.

**The Speaker (Hon Alvin Curling):** Thank you. That brings us to the end of oral questions.

I'll just wait a few seconds until members who are leaving depart from the House.

It's time for petitions.



## PETITIONS

### HEALTH CARE

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** “To the Legislative Assembly of Ontario:

“Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services.”

It was signed from all over my riding, many signatures, and they keep coming in.

### REFUNDABLE CONTAINERS

**Mr Tony Ruprecht (Davenport):** I have a petition to the Legislative Assembly of Ontario and the Minister of the Environment. It reads as follows:

“Whereas we find lots of pop cans and beer bottles in our parks and children’s playgrounds;

“Whereas it is, therefore, unsafe for our children to play in these parks and playgrounds;

“Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

“Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill” sites “every year instead of recycling them;

“Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

“Whereas the province of Quebec already has legislation obligating the vendors to accept the refund on all pop drinks, whether bottles or cans;

“Therefore, we, the undersigned, strongly urge and demand that the Ontario government institutes a collection program that will include all pop drinks, bottles of beer, wine, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment.”

Since I agree wholeheartedly with this, I am inclined to sign it as well.

### CHIROPRACTIC SERVICES

**Mr Jerry J. Ouellette (Oshawa):** Before I begin, I wish to wish a certain someone a happy birthday, and I know the Speaker knows exactly whom I’m speaking about.

I have a petition to the Legislature:

“Whereas

“Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on this decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

I affix my name in support.

### PIT BULLS

**Mr Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario from a group of residents of Mississauga and Toronto. It reads as follows:

“Whereas pit bulls are dangerous dogs, showing as a breed a tendency for vicious attacks on adults, children and other animals out of all proportion to their numbers; and

“Whereas jurisdictions where bans on pit bulls have been enacted have seen dramatic reductions in pit bull attacks on people and other animals; and

“Whereas residents of Mississauga and community leaders and law enforcement officials all across Ontario have supported a ban on pit bull ownership;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario enact legislation banning ownership of pit bulls in the province of Ontario, enact specific measures to require existing pit bulls to be muzzled while in public, and require existing pit bulls to be spayed or neutered.”

This petition reflects the feelings of those writing in to my constituency office, and I’m pleased to affix my signature.

### CHILDREN’S HEALTH SERVICES

**Mr Garfield Dunlop (Simcoe North):** “To the Legislature of Ontario:

“Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

“Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I'd like to add that there is a rally at my office next Monday morning at 10:30 to help this, and I support this as well and will give it to Katharine.

#### CHIROPRACTIC SERVICES

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** A petition to the Legislative Assembly of Ontario:

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province of Ontario."

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition about adoption disclosure once again.

**Mr John R. Baird (Nepean-Carleton):** Let's pass that bill today.

**Ms Churley:** Let's pass that bill. It reads:

"To the Legislative Assembly of Ontario:

"Whereas four bills regarding the Adoption Disclosure Statute Law Amendment Act have been introduced between 1998 and 2003;

"Whereas one of the aforementioned bills received committee hearings in November 2001;

"Whereas Bill 14 addresses privacy concerns for those who wish to avoid or delay contact;

"Whereas adoptees are dying from genetic diseases in the absence of their family medical history;

"Whereas birth mothers were never promised confidentiality,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: Immediately call Bill 14, the Adoption Disclosure Statute Law Amendment Act, for second reading, third reading and final vote."

I will sign this petition because I fully support it.

1540

#### CHIROPRACTIC SERVICES

**Mr Phil McNeely (Ottawa-Orléans):** I have a petition to the Legislative Assembly of Ontario:

"Re: Support for chiropractic services in Ontario health:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

#### HEALTH CARE SERVICES

**Ms Marilyn Churley (Toronto-Danforth):** I want to point out that this petition is in Cantonese, Mandarin and English. It reads:

"To the Legislative Assembly of Ontario:



"Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

"Whereas this privatization of health care services will force Ontarians to pay out-of-pocket for essential health care;

"Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government's new regressive health tax;

"Whereas the Liberals promised during the election that they would not cut or privatize health care services in Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care."

I'll affix my signature, because I support this petition.

#### TTC RIGHT-OF-WAY

**Mr Tony Ruprecht (Davenport):** I still receive petitions from very irate residents who are dead set against the dedicated TTC right-of-way on St Clair Avenue West.

The petition reads as follows:

"Whereas an environmental assessment is underway on St Clair Avenue West to study potential 'transit improvements,' including the possibility of installing a dedicated TTC right-of-way;

"Whereas the consultation process so far has been in bad faith, top-down and rushed, which has disappointed and angered the local community almost entirely, and not been up to any acceptable public standards;

"Whereas comments by the chair and the members of the Toronto Transit Commission have made it clear that there is a predetermined outcome to the EA process, regardless of the objections of the local community;

"Whereas a dedicated right-of-way would force significantly more traffic on to local streets;

"Whereas the right-of-way would lead to a reduction or elimination of on-street parking;

"Whereas traffic bottlenecks at certain intersections and underpasses are already terrible;

"Whereas the underpass and the right-of-way will have substantial negative economic impacts on the local business community;

"Whereas there is no guarantee that a dedicated right-of-way will improve transit service substantially;

"Therefore we, the undersigned, strongly urge the Minister of the Environment to order a full environmental assessment on St Clair Avenue West, one that genuinely consults and takes into consideration the views and opinions of the local community."

Since I agree, I'm delighted to sign it as well.

#### CHIROPRACTIC SERVICES

**Ms Marilyn Churley (Toronto-Danforth):** This petition reads:

"To: Legislative Assembly of Ontario

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I will affix my signature to this petition, because I support it.

#### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition from a number of residents in northwestern Mississauga and Milton, including our local member of Parliament. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of

land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As one of those residents, I'm pleased to affix my signature and to ask Ellen to bring it down for me.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** It's my lucky day. I want to read another petition about adoption records. It reads:

"To the Legislative Assembly of Ontario:

"Whereas four bills regarding the Adoption Disclosure Statute Law Amendment Act have been introduced between 1998 and 2003;

"Whereas one of the aforementioned bills received committee hearings in November 2001;

"Whereas Bill 14 addresses privacy concerns for those who wish to avoid or delay contact;

"Whereas adoptees are dying from genetic diseases in the absence of their family medical history;

"Whereas birth mothers were never promised confidentiality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Immediately call Bill 14, the Adoption Disclosure Statute Law Amendment Act, for second reading, third reading, and final vote."

I will sign this petition.

#### ORDERS OF THE DAY

##### GREENBELT ACT, 2004

##### LOI DE 2004 SUR LA CEINTURE DE VERDURE

Mr Gerretsen moved second reading of the following bill:

Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / *Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.*

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Mr Speaker, I will be sharing my time with my parliamentary assistant for rural affairs, the member from Lambton-Kent-Middlesex, who earlier today became a grandmother once again when her daughter gave birth to her

seventh grandchild. I don't know whether it's a boy or a girl—

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** A girl.

**Hon Mr Gerretsen:** It's a girl.

**Interjection:** What's her name?

**Hon Mr Gerretsen:** What's her name?

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** Grace.

**Hon Mr Gerretsen:** Grace. So congratulations to the parliamentary assistant.

I would like to begin by asking my colleagues a very simple question. There are three questions, as a matter of fact. What do you want the Golden Horseshoe to look like in the future? That's a good question for the member from Toronto-Davenport and the member from Erie-Lincoln. What do you think our province is going to look like 30 years down the road, particularly in the GTA? Do you want to see strong communities, thriving centres, vibrant rural towns and villages and idyllic hamlets? Do you want a healthy natural environment, where our wetlands, streams, waters and forests and the wildlife that depends on them can thrive? Do you want to see safe streets, clean air, safe water, congestion-free roads, plenty of parks, trails and farmlands?

**1550**

We all envision the very best for our future and for the future of our children and grandchildren. We also all know that it takes more than just wishing to get there. To quote the poet and philosopher Ralph Waldo Emerson, "The future belongs to those who prepare for it," and that's what we're doing here today. We are preparing for the future. The McGuinty government is preparing for the future for the people of Ontario, especially those who live in the GTA. For the first time ever, an Ontario government has set out a vision that is needed to accommodate future growth in the Golden Horseshoe. We are pulling together environmental protection and growth planning and are dealing with them as one whole entity. We are building the strong, healthy and prosperous Ontario that we all foresee in the future and, with this legislation, can now rightfully expect.

Today I'd like to tell you about one of the key elements of our government's plan to balance Ontario's growth with the protection of our environment. As you know, the area from Niagara Falls in the southwest to Rice Lake near Cobourg in the east is home to some of the most important environmental features, the best agricultural lands and most lovely countryside in the province. As you also know, these same lands are under some of the most intense development pressure in Canada. As Ontario grows, the public is becoming more and more concerned that urban sprawl will consume these lands and that they will simply disappear with development.

Our government will not allow this to happen. We are committed to putting in place permanent greenbelt protection to curb sprawl and protect environmentally sensitive and agricultural lands in this significant area of our



province. We're well on our way to meeting that goal. With Bill 135, our Greenbelt Act, 2004, and with our draft greenbelt plan, which is an integral part of the legislation, we want to know that, 30 years from now, the ecosystem will be preserved, water resources protected, and wildlife will exist in its natural habitat.

We think we're on the right track, and we're not the only ones who think so. I'd like to quote some experts in the environmental field who also clearly think that this government is on the right track with our proposed greenbelt legislation and plan.

Dr Rick Smith, the executive director of Environmental Defence Canada, calls the greenbelt "a breath of fresh air." He adds, "After years of poorly planned growth and unfettered urban sprawl, declining air quality and disappearing farmland and forests, we're finally seeing a green vision for southern Ontario that makes sense."

Jim Faught, the executive director of Ontario Nature, said that Premier McGuinty's greenbelt announcement is "a great day for nature." Mr Faught also called the proposed greenbelt "an important measure toward protecting vital green space in the Golden Horseshoe and ensuring the health of the province's citizens."

Dr Riina Bray, chair of the Ontario College of Family Physicians' environmental health committee, said, "We congratulate the McGuinty government for containing urban sprawl and creating a permanent greenbelt. The creation of the greenbelt will improve air quality, curtail the obesity epidemic, decrease traffic accidents and fatalities and alleviate mental health problems related to sprawl."

I could go on, but I think these three quotes tell the story of how experts in the area of environmental protection and health feel about our plans for permanent greenbelt protection.

Environmental protection, while vitally important, isn't the only thing that our proposed greenbelt will do, if approved by this Legislature. It will also permanently protect some of the most important farmlands in Canada and ensure that they remain productive farmlands. Ontarians want to know that the fertile agricultural lands of the Golden Horseshoe will still be producing the food that our growing population needs, and that decades from now, parents will still be able to take their children to a local farm to pick apples from an orchard, to learn how farmers raise the cows that give us milk, or to know how good fresh, home-grown produce can taste. Children need to know that food doesn't grow in the grocery stores, and that's why we're proposing agricultural protection as a cornerstone of Bill 135 and the greenbelt plan.

Once again, I think the experts can say better than I can what our proposed greenbelt legislation and plan have the potential to deliver. To quote Elbert van Donkersgoed of the Christian Farmers Federation of Ontario, "We believe the plan is the beginning of a legacy of stewardship of our best farmland."

His colleague Henry Stevens clearly agrees, saying, "I'm pleased to see this government moving forward on

its commitment to create a greenbelt. This is definitely a step in the right direction. Preserving farmland is an integral part of ensuring the long-term sustainability of the agricultural industry."

David Hahn of the National Farmers Union says, "I produce maple syrup and horticultural produce. For many decades, I've watched with concern as much of Ontario's valuable farmland is paved over by 'development.' I strongly believe that the Ontario government's current initiative to preserve green space and farmland in the greenbelt around the Golden Horseshoe may be one of this government's most important accomplishments. We must preserve our own farmland so our growing population does not become even more dependent on imported food, with all the vulnerability to trade disruptions that that entails."

Just one more. Norman Beal, president of the Peninsula Ridge Estates winery and owner of 80 acres of vineyards and woodlots in Beamsville, said, "The fact that the urbanization of our unique agricultural lands will be prevented is great news."

The proposed Greenbelt Act, 2004, will, if passed, allow us to protect these unique agricultural lands for generations to come. But let's be clear about what our government intends to do, and not do, through our proposed greenbelt legislation and plan. We intend to protect unique agricultural and specialty croplands. We will preserve essential natural features and sensitive environmental areas. We will set strict limits on where urban boundaries can and cannot expand. We want to put a stop to subdivisions paving over valuable farmland, or shopping malls being carved out of forests.

Some members of the development community have been saying that we're basically putting a stop to all development in the Golden Horseshoe, and that is simply not correct. If our greenbelt legislation and plan are approved, what we are going to do is have more predictability and certainty for developers. They will have more certainty about where development can go and where it cannot go.

Clear direction for development means less time and money wasted at the Ontario Municipal Board. Mark Parsons, president of the Toronto Home Builders' Association, in his Toronto Star column of July 31, said, "The need to manage future growth is so obvious and widely supported that land developers are beginning to sound like environmentalists."

Concerns have also been raised that there's not enough developable land left in the Golden Horseshoe area, and that greenbelt protection will lead to ballooning house prices. Preliminary results of the 2003 GTA residential land inventory conducted by the Ministry of Municipal Affairs and Housing showed that, in the short term, municipalities in the GTA have at least a three-year supply of serviced lands for residential units approved for development. This level of supply of serviced lands is customary in most municipalities in Ontario. Over the medium term, most GTA municipalities would have a 10-to-15-year supply of urban land available for residen-



tial development. Bill 135 is about supporting responsible growth, and responsible growth is good economic policy.

1600

Sprawl is bad economic policy. It creates gridlock and makes it difficult to move goods from place to place, which is critical to economic growth in Ontario. And that's not to mention what it does to families, to parents who would rather be spending time with their families instead of being stuck in traffic.

Focusing growth in existing built-up areas will help municipalities control the escalating public costs for roads, garbage pickup, policing, transit and other services. Clear limits on development will protect the greenbelt for the long term and ensure that development is directed to areas where services are planned. This can reduce pressures on the municipal tax base and the taxpayer.

As the proposed act works its way through the legislative process, we are welcoming the public's comments on our draft greenbelt plan. Ontarians know that this is perhaps our last chance to effectively preserve our natural heritage in the most rapidly expanding region in Canada, and our government greatly values both the input and the partnership. I'm very excited about what greenbelt protection would mean to the future of Ontario. The permanent protection of hundreds and thousands of acres of environmentally sensitive land and farmland will be a true legacy for the people of this province.

Our government is planning now to preserve our natural heritage, while we simultaneously plan to accommodate the four million more people expected to move to Ontario by 2031. The majority of these new residents will settle in the greater Golden Horseshoe area, bringing along their individual skills and abilities and attracting another two million jobs. We welcome this growth.

Currently, central Ontario generates nearly two thirds of this province's GDP and nearly one third of all of Canada's. Solid growth will help this economic strength continue for the benefit of all. But there's another side: Without proper planning, this significant growth could overwhelm our province, eat up our land and diminish our quality of life. Our government knows that right now we have a unique opportunity to plan thoughtfully for the future, to provide clarity and certainty in what we build and where we build it, to determine the critical infrastructure we need to support that growth, to decide how the natural environment can best be protected for our benefit and for the benefit of future generations.

This government knows that to do all these things takes much more than a greenbelt. Greenbelt protection can only work in tandem with growth management and growth planning. That's why this government introduced Bill 136, the proposed Places To Grow Act, 2004, on the same day as this bill that we're discussing today, the Greenbelt Act, 2004. Bill 136, if passed, will enable the provincial government, for the first time in the history of this province, to plan for population growth in a strategic way that is integrated across natural and municipal

boundaries. It will put into place the legal framework needed to allow the province to designate geographic areas as growth plan areas. That will enable municipalities, businesses, agricultural, environmental and community groups, the province and the public to work together to develop a long-term plan setting out where and how this region should grow over the next 30 years, targeting growth so it makes best use of existing infrastructure, curbing sprawl through urban intensification and brownfields development, ensuring seamless transportation systems, encouraging business growth and investment, and preserving the farmlands and green space that contribute so much to healthy communities and mean so much to our quality of life.

Our goal with these two complementary pieces of legislation is to ensure that the four million more people who are expected to arrive in Ontario will be well-accommodated, and we'll all have plenty of places to live, work and play. We continue to move forward on planning reform and providing new financial tools and increased authority for municipalities to make sure Ontario communities can grow in the way that is best for our citizens.

Our government will make these goals a reality and has a vision to make sure Ontario is strong, healthy and prosperous. We have set this plan in motion, and we are committed to an Ontario where everyone enjoys a quality of life that is second to none.

As I indicated before, an integral part of the legislation that's before us is the actual draft plan, the greenbelt plan. It's available on the Ministry of Municipal Affairs and Housing Web site, and I just wanted to read some significant sections of this plan so that the people of Ontario and the members of the Legislature will have a better understanding as to what this plan is all about.

I should say that this plan also contains a number of maps that actually delineate the proposed greenbelt area. As you may well realize, Speaker, this is subject to discussion at about eight different meetings that we're holding across the Golden Horseshoe area over the next three to four weeks. We certainly invite the input of the general public and of those groups and individuals who are interested in it.

Let me start off by just reading some of the sections that I think speak to the actual details of the plan.

First of all, in terms of the context, the greenbelt plan identifies where urbanization is not to occur, in order to provide permanent agricultural and environmental protection. The greenbelt plan builds on lands within the Niagara Escarpment and the Oak Ridges moraine conservation plan.

The additional protected countryside lands, which are about a million acres, are identified in this plan, and it links and enhances the Niagara Escarpment and the Oak Ridges moraine to create the greenbelt. They've been identified through a combination of best science available, a consideration of existing and future patterns of urbanization, and local knowledge and advice.

The greenbelt also supports a wide range of recreation and tourist opportunities, and a vibrant and evolving



agricultural and rural economy. It speaks to primarily four areas of land within the greenbelt. It talks about an agricultural system that is made up of two specialty crop areas located in the Niagara Peninsula tender fruit and grape area and the Holland Marsh. It talks about the prime agricultural areas that are located within the designated area being classed as one, two and three soils, and it talks about rural areas, which are areas outside of the settlement areas identified on the map, which are generally designated as rural or open space that are without municipal official plans.

Just dealing with the settlement areas that are located within the green plan—and I'm quoting here from page 16 of the proposed plan—it talks about town and village priorities and policies. This has been the subject of some discussion within the media over the last couple of weeks. It states, "Municipalities are encouraged to continue their efforts to support the long-term vitality of these settlements through appropriate planning and economic development approaches which seek to maintain, intensify and/or revitalize these communities. This includes modest growth that is compatible with the long-term role of these settlements as part of the protected countryside and the capacity to provide locally based sewage and water services."

It also talks about an annual 10-year review within the plan. It states,

"At the 10-year plan review, modest growth may be possible for towns and villages, provided the proposed growth:

"Would not exceed the assimilative and water production capacities of the local environment;

"Is consistent with any applicable watershed plan;

"Does not extend into the natural heritage system;

"Does not extend into the specialty crop area; and

"Appropriately implements the requirements of any other provincial policies, plans, strategies or regulations...."

1610

Let me just talk a little bit about existing uses. There has been a fair amount of discussion about existing uses, as to whether or not people can carry on the existing uses they're currently carrying on, whether they're agricultural or otherwise, within the greenbelt area. I'm quoting from page 24 of the plan. I would advise those individuals who are interested in these specific policies to take a close look at them through either obtaining a copy of the plan or through the Web site.

"Existing uses: All existing uses lawfully in existence the day before the greenbelt plan comes into effect are permitted" within "the protected countryside."

It goes on further than that. It states, "Expansions to existing buildings and structures and accessory uses are permitted in the protected countryside, outside of settlement areas, provided that the expansion:

"Does not require new urban servicing;

"Does not expand into key natural heritage and key hydrologic features" areas."

It further goes on to say, "Expansions to existing agricultural buildings and structures, residential dwellings and accessory uses to both, can be considered within key natural heritage and key hydrologic features if:

"There is no alternative and the expansion, alteration or establishment is directed away from the feature to the extent possible...." In other words, expansions are possible as long as they do not affect the sensitive environmental lands located within the greenbelt area.

Lot creation: I know lot creation is of particular concern in the agricultural area and some of the other rural areas. It specifically states, in section 4.6, "Lot creation is permitted in the protected countryside for the range of uses permitted by the policies of this plan." It is also permitted for the following:

"Land acquisition for infrastructure purposes....

"Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation....

"Minor lot adjustments, provided it does not create a separate lot for a residential dwelling in the specialty crop or prime agricultural areas....

"More specifically, within the specialty crop area and prime agriculture area, lot creation is permitted for:

"Agricultural uses where the severed and retained parcels are intended for agricultural uses and provided the minimum lot size is 50 acres within" the "specialty crop area and 100 acres within" the "prime agricultural areas;

"Existing agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use, including a sewage and water system appropriate for such a use."

And finally, the question of surplus farm dwellings is discussed within the plan. It states, "Surplus farm dwellings where an existing farm residence is rendered surplus to the farm as a result of farm consolidation, and provided no residential development is permitted in perpetuity on the retained parcel of farmland created by this severance." So surplus farm dwellings may be sold, provided it meets a number of other standards, within the greenbelt area, and I know this was a concern of a fair number of people.

With that, I will simply encourage individuals who have an interest in this issue to attend the various public meetings—we've already held three public meetings; there are five more in the balance of this month—and make their views known. We're always open to good suggestions as to how we can make a proposed law a better law. With that, I will now turn the floor over to my parliamentary assistant, Maria Van Bommel.

**Mrs Van Bommel:** I want to thank the minister and the assembly for the good wishes they've extended to the newest member of my family, my granddaughter Grace Shelley.

I am very happy to be able to take this opportunity to speak to the important issue of Bill 135, the Greenbelt Act, 2004. Our green spaces make all the difference in the quality of our lives. Green spaces help keep our air clean and filter our water. They provide natural beauty



that complements our urban environments. Every year, our citizens look forward to produce from our green spaces because it's the best food in the world and everyone enjoys the freshness of local fruit and vegetables. The natural resources derived from our green spaces help drive an economy that is unrivalled in Canada. That is what the proposed Greenbelt Act, 2004, is all about: protecting green spaces in the Golden Horseshoe to curb unplanned urban sprawl. We want to improve the quality of life today and preserve Ontario's natural heritage for future generations.

Here are the facts about the government's proposed greenbelt. It would contain about one million acres of newly protected land. It would extend about 325 kilometres from the eastern end of the Oak Ridges moraine near Rice Lake in the east to the Niagara River in the west. It would be about 80 kilometres across at its widest point, from the mouth of the Rouge River to the northern tip of Durham region. The proposed greenbelt natural heritage system, included in the draft greenbelt plan, would provide full protection for about three quarters of the lakes, wetlands and forests within the greenbelt. It would stop urbanization in the remaining undeveloped portions of all the major river valleys south of the Oak Ridges moraine and the Niagara Escarpment.

The proposed greenbelt area would include the headlands of the major watersheds in the western greater Toronto area—such as Bronte Creek, Sixteen Mile Creek and the Credit River—not currently protected by the Niagara Escarpment or Oak Ridges moraine plans. It would permanently protect more than 100,000 acres of Niagara Peninsula tender fruit and grape specialty crop areas.

The proposed greenbelt, as the minister has said, would also protect the entire Holland Marsh, which is a specialty area in itself of about 15,000 acres located in the York region and Simcoe county areas.

The proposed greenbelt would protect about one million additional acres in the Golden Horseshoe, more than doubling the total area now protected by the Oak Ridges moraine conservation plan and the Niagara Escarpment plan.

The current draft of the greenbelt plan also has provisions that would ensure that our agricultural land will continue to produce a steady source of food. Protecting foodland is one of the key goals of the proposed Greenbelt Act, 2004. Some of Ontario's most productive agricultural lands lie within the Golden Horseshoe. Prime agricultural areas are, therefore, located where development pressures are also the greatest. That's why we are focused on protecting thousands of acres of farmland and environmentally sensitive areas within the Golden Horseshoe. But there are many who would have us leave this land open to development.

Some developers have raised concerns about these plans. The shrinking supply of land available for development will contribute to ballooning prices, they tell us. But we can look to a number of experts who tell us otherwise. Building at higher densities and promoting infill

and brownfield redevelopment will help the supply of land that is now designated for future urban development and make it last longer. It is important to note that what the land developers are talking about are areas of prime agricultural land. These lands are flat, relatively free of obstruction and close to existing urban areas, which makes them very attractive for development.

This government sees this land as more than a reserve for future subdivisions. This government recognizes the importance of farmland to agriculture. The government appointed the agricultural advisory team of Lyle Vanclief and Bob Bedggood to look at the protection of farmland in the Golden Horseshoe, as well as the larger issue of the viability of farm operations. The team has consulted with farmers, agricultural stakeholders, rural community leaders and others across the province and drafted a report.

1620

One of the team's recommendations is for the government to move quickly to implement the recommendations in the report that deal with investment, support and the recognition the Ontario agricultural community requires to plan for future prosperity. They also advised against providing direct compensation for loss of perceived future opportunities. Henry Stevens, vice-president of the Christian Farmers Federation of Ontario, agrees with the team's advice. He said, "Preserving farmland is an integral part of ensuring the long-term sustainability of the agricultural industry."

We are moving forward on that advice. This is some of the best farmland in the country. The greenbelt plan we are proposing would protect one million additional acres of environmentally sensitive and agricultural land in the greater Golden Horseshoe.

Agricultural land is for farmers to grow fresh fruit and vegetables and a host of other commodities, including livestock, grains and oilseeds. It is not for farming cement or growing subdivisions. This government is proposing to preserve agricultural land for agriculture and preserve all the rights of agricultural landowners that they now have. Landowners' rights do not now, and have never, included the right to turn valuable farmland into pavement.

Purchasing land designated for one purpose in the hope that it can be used for another is defined as land speculation, and that goes whether you bought the land yesterday or 50 years ago. With greenbelt protection, speculators may lose, but I feel that farmers will win. Farmers are only protected if they have somewhere to farm. This government chooses to protect farmers.

Culture, tourism and recreation would also get a boost from the proposed greenbelt. The planned trails, parklands and open spaces will help support sports, tourism and recreation.

The province, municipalities, conservation authorities and other organizations would be encouraged to develop a compatible parkland and open space system and trail strategy. Municipalities would be encouraged to identify, protect and incorporate cultural heritage resources such



as historical buildings and neighbourhoods into their planning processes.

The government's rural plan announced last week outlines a vision that applies to rural communities across the province, and that includes communities within the proposed greenbelt.

The rural plan sets out goals for building strong rural communities and the strategies for achieving those goals, and it provides a course of action for developing and delivering programs and services that reflect the diversity and uniqueness of our rural communities.

Programs such as the rural economic development program, which will help rural communities build community capacity to address a number of priorities, also include health care services, community revitalization and economic development, and skills enhancement.

We have just today announced infrastructure financing programs, such as our Canada-Ontario municipal rural infrastructure fund, or COMRIF, and the Ontario Strategic Infrastructure Financing Authority, or OSIFA.

Other proposals in the draft greenbelt plan to encourage tourism include a network of public open spaces where people can enjoy recreational and leisurely pursuits in parks, conservation areas, navigable waterways and forests. Other opportunities to make selected greenbelt lands accessible to the public are also proposed in our plan.

The draft plan recognizes the need to balance the goals of the greenbelt and the long-term infrastructure needs for growth. The draft greenbelt plan has specific policies that will guide its implementation. This includes the requirement in the proposed act for a 10-year review of the proposed greenbelt plan to determine whether the plan is meeting its proposed purposes and objectives. The review would allow, for example, the consideration of any new information on policies that may need to be reflected in the plan to improve its effectiveness. I want to say, however, that the total area of the proposed greenbelt plan could not be reduced under such a review.

This government is committed to preserving our green spaces to help build stronger communities, improve our health and protect our air and water. We made a commitment to Ontarians to end the years of unplanned urban sprawl that has happened in the past. The proposed greenbelt is being developed to protect a natural system and agricultural land for our children, our children's children and all who come after them, including my granddaughter, Grace.

**The Deputy Speaker (Mr Bruce Crozier):** Questions and comments?

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise today to make a few comments to the Minister of Municipal Affairs and his parliamentary assistant on this very important bill. I don't think there's anybody in this House who would agree more that we have to watch out for our farmland and take care of the future of our province.

However, what's important about this bill is what it doesn't include. It doesn't include the fact that in the

province of Ontario, development will now leapfrog over the greenbelt area. With that, it will go into other parts of rural Ontario, and with that, there's no money to attach to it. We even went as far, more recently, as allocating part of the gas tax to urban centres with transit systems, and nothing to our townships and our villages—the small parts of the province of Ontario—nothing at all. They pay into the gas tax and get nothing back, yet I don't see anything allocated here in this bill or any possible suggestion on where the municipalities will get money for increased infrastructure costs.

That will happen. It's going to happen in Simcoe county; it's going to happen in the north part of York region; it will happen through parts of Dufferin county. Nothing is there for them at all, not a penny, and you haven't made any indication in any of your comments, either from the parliamentary assistant or from the minister, that there would be any money.

I want to hear that. I want to hear back from the minister that he's going provide lots of funding to those rural parts of the province of Ontario where growth will occur. That is, of course, unless your government drives this province into a state of recession, which could easily happen with some of the moves you've been making lately.

Thank you very much for an opportunity to comment.

**Ms Marilyn Churley (Toronto-Danforth):** I really look forward to my opportunity to spend about an hour or so later—if not today, I guess tomorrow—to explain in detail the problems with the existing greenbelt legislation and the amendments that I will be making when this comes before committee. I've spoken to the minister, and of course it makes sense that, since he has public consultations going on out there, we're going to have an opportunity to actually go before that committee and make amendments, and I'll be doing so.

As I said when this was first announced, it's a good start. I congratulated all of the environmental groups and conservation groups and others—the Greenbelt Alliance—who worked, I know, very, very closely with the government to get to this point. But it is not good enough. It doesn't go far enough.

1630

I'll tell you who must be really excited: the finance minister—or maybe he's depressed about it. I noticed that a big swath of the agricultural land in his riding got an exemption. I don't know how that happened, but maybe that's something we'll want to take a look at.

I'll be coming forward with some areas that need to be included, because I said earlier and I'll say again: This thing that we talk about that we now call leapfrog development—when I went and saw the map, there's the bright green, and there's brown, urban, and then there's this sort of pale, fleshy tone in the middle. That's the stuff that's hanging out over the belt. It's out there, exposed. And do you know what's going to happen? I'm not just talking about Simcoe; I'm talking about that huge swath of prime agricultural land that has been left out. Guess what's going to happen there. If it's not all already



bought up by the developers, it will be. We're talking about an area that's about 75% of all the currently developed GTA lands. This is, as has been pointed out by the Neptis Foundation—I'm sure you read the story over the weekend—far, far too much land left out.

I'll be giving more details to the minister so that he can be prepared for the amendments that I will be making to vastly improve this piece of legislation.

**Mr John Milloy (Kitchener Centre):** I want to begin by congratulating the minister and his parliamentary assistant, our colleague from Lambton-Kent-Middlesex.

What strikes me about this bill is that it fits a pattern that we've seen in this government, and that's doing things differently. It was interesting; my friends over to the right used to like to talk about a Common Sense Revolution and doing things differently, but I didn't see a lot of things done differently under their government.

We came to power, and I had so many people who said to me, "Hey, you're a new government. You come in"—and the Minister of Finance is here—"and you say the finances of the government were left in a bad way by the previous government. Why don't you have the auditor come in and take a look before the next election?" Do you know what? I could never come up with an answer for that, because it made sense. It made good, logical sense. So what did we do? We enacted legislation, which is before this Legislature, to do that.

We looked at things like fixed elections. Why do we have to play peekaboo for the final year of every government? Why don't we set the election date right away? Again, I never had a good answer to that question. We have legislation before this Legislature that's going to do it.

The greenbelt legislation that's before us right now is about a government which is no longer going to engage in this sort of hodgepodge planning. It's about taking a look at the long term of this province. It's about taking a look at how we want Ontario to develop, not just over the next few years but over the next decade and decades to come. It's about a minister who has made a responsible choice in terms of figuring out where we want agricultural development, where we want to have urban development and how we want to have our urban development continue to evolve. It's work that's complemented by that being undertaken by the Minister of Public Infrastructure Renewal. It shows the type of vision and doing government differently which I think is going to become the real trademark of this government over the next three years.

**Mr Tim Hudak (Erie-Lincoln):** The Kool-Aid is certainly running strong with the Liberal backbenchers tonight. They certainly are doing things a lot differently than they campaigned on—a lot of different bills and decisions and announcements that run completely at odds with their campaign promises.

I'll ask my colleague who's not a member of our party but another: How many broken promises have they made to date?

**Interjection:** Zero.

**Mr Hudak:** See, the Kool-Aid is running strong, because they're saying "zero." You don't even believe that. I think you guys have 40—

**Ms Churley:** How many? About 100?

**Mr Hudak:** They say "about 100" broken promises. That may be the case.

To my colleague's other point about this not being a hodgepodge, it's very much a hodgepodge approach. You have one approach by the Minister of Municipal Affairs, and then you have another approach by the Minister of Public Infrastructure Renewal. I'm hearing over and over again from those who care about this initiative and are interested in this initiative, wanting to know why they're working at different paces and different goals. You'd think that they would have brought it forward under one minister. You wonder if the Minister of Municipal Affairs or the Minister of Public Infrastructure Renewal knows the Minister of Transportation. I don't know if you guys know each other, because you are certainly not seeing work from transportation to support the greenbelt initiative or public infrastructure renewal.

Maybe we will get all three in a room and they can bring forward one comprehensive plan and bring it through committee simultaneously so they can consult on a holistic approach to this issue. I say to my colleague from Kitchener, this is nothing but a hodgepodge approach done by various ministers, all at different paces. Surely you have been hearing that from concerned stakeholders.

To the part about the debate with respect to the gas tax versus COMRIF—I think I made the points earlier today—certainly that program is a very poor cousin to the gas tax program, which shows the very low regard this government has for rural and small-town Ontario.

**The Deputy Speaker:** The member for Lambton-Kent-Middlesex has two minutes to reply.

**Mrs Van Bommel:** I want to thank the members from Simcoe North and Toronto-Danforth, Kitchener Centre and Erie-Lincoln for their comments on our proposed bill for the greenbelt.

First, I want to address the issue that the member for Simcoe North brought about when he talked about what we were doing for rural communities. We have brought forward the COMRIF program, which was announced today, and that is \$298 million that the province is putting into infrastructure costs in rural communities. That would include things such as water lines and waste management; it includes bridges and roads, and it is applicable to all rural communities. I think that's how we want to deal with our communities. We want to help them to grow and develop the kind of infrastructure that they need. I agree with the member from Kitchener Centre when he says that this makes sense. The greenbelt plan makes sense. It makes good sense.

I have not heard any negative comments in my community, in my riding, about it. They see the purpose of doing this. They are very happy with this. They feel that we are moving in the right direction. In Lambton-Kent-Middlesex they feel very strongly about keeping agri-



cultural land in agricultural use. It's very important to a farmer. If you're going to make a living at it, you need to have the land to work with. You cannot start farming—if you pave it over, it's gone. We will never see those kinds of lands again.

We recognize the uniqueness of the Niagara area. We recognize the need for the tender fruit and the grape. We have such areas in the rest of the province, but they do not produce the same kind of product that we see in the Niagara area. Those are the kinds of things that the greenbelt plan will preserve.

**The Deputy Speaker:** Further debate?

**Mr Hudak:** I'm pleased to respond on behalf of the official opposition to the parliamentary assistant of the Ministry of Municipal Affairs on Bill 135. Maybe the minister will be watching on television.

The minister did ask a question at the beginning of his address, about 45 minutes ago: What do we want to see in the Golden Horseshoe in, I think, 30 years' time? We want to see a Golden Horseshoe that continues to be an engine of growth, not only for the province of Ontario but for the country as a whole; a magnet for Canadians to come to, to live in, to work in; a magnet for the talented immigrants from across the world, as has been the history of this area, to continue to make Canada strong. We want the green space preserved for generations to come, some of the natural beauty that we've talked about in this Legislature, including the Niagara Escarpment, the tender fruit lands, the Holland Marsh, to name some, and many others.

As part of that Golden Horseshoe in 30 years, we want to see strong and vibrant municipalities that people love to live in. We'll see maybe future generations of Hudaks or—who else is in the Golden Horseshoe area? Well, I don't know, maybe some Bissons in southern Ontario who will enjoy these communities like Brock, like Lincoln; strong communities with strong tax bases, with good services, good quality roads and sewers. We want to see municipalities that are able to keep their taxes low. We want to see farmland that continues to lead the world in the quality of its products, in research, in development. We want to see agricultural products grown in the GTA, in the Golden Horseshoe area, that are purchased first and foremost by Ontarians and also, where available, exported to the world. We want to see a prosperous grape and wine industry continuing to build on the successes of today. We want to see tender fruit—peaches, plums and pears—continuing to be grown in the south. We want to see the Holland Marsh as the envy of the world.

**1640**

The problem the government doesn't seem to understand is that if you want to save that farmland, you need to support the farmer. We want to see prosperous farmers and prosperous agricultural communities in the Golden Horseshoe in 30 years' time, stronger than today. We want to see strong agricultural and rural communities throughout Ontario. We want to see strong cities with effective and efficient transportation plans so that people and goods and tourists can move from place to place

quickly and safely, whether it is on highways or through transit.

The big missing element of this greenbelt plan, and why I said to my colleague earlier that very much of this can be described as hodgepodge, is that this strictly addresses land use only. I believe the minister knows, and I believe the parliamentary assistant knows, and the members of the assembly in all three parties know full well that if you want to preserve the land, you cannot just do so by decree. The minister cannot stand in this House, bring forth a bill, veritably wave a magic wand and say the farmland is going to stay in production as farmland for generations to come. That's not the way it's going to work. We heard great prose from across the way, very romantic descriptions of the land we want to see today, tomorrow, in 30 years' time. But I think we need to be realistic that if you want to preserve this farmland, make it viable, you need a plan to support the farmer.

There are some significant, serious flaws to the greenbelt legislation because it concentrates only on land use. There are other ministries doing other work that hopefully will come together and support the greenbelt, to make sure it's a responsible plan for economic growth and preservation of green space, but they seem to be working at cross purposes, at different times, at different rates, and we're not seeing one solid—

*Interjection.*

**Mr Hudak:** I disagree. I ask the member opposite, where is the agricultural support plan? When the Minister of Municipal Affairs stood to introduce Bill 135 for first reading a week-plus ago, why didn't he mention what the plan was to support our farmers? Why didn't he or the Minister of Transportation stand up and say, "Here are our future highways. Here are the major investments we're going to make in transit so people can get from place to place safely and efficiently in support of the Golden Horseshoe and parts around it"?

The Minister of Public Infrastructure Renewal stood up, but talked about initiatives in other parts of the province. I think a good question we have is, why is there not one solid, comprehensive plan, where the ministers will work together, that will do the following: repair the flaws of the greenbelt by making sure that farmland stays viable for generations to come. In order to support the farmland, we need a comprehensive plan to support our farmers. I'll address that in more detail later in my remarks.

To deal with what my colleague from Simcoe brought up, the leapfrog that I know will be part of my comments and those of my colleagues in the third party, I believe that people will move and live farther away. I believe that without a solid transportation plan there is great jeopardy. That long snake of traffic down the QEW, down the 401 and up Highway 400 is going to get longer because we do not have a supporting transportation plan hand in hand with this greenbelt legislation. Agriculture, one flaw: the lack of an agricultural plan hand in hand. The lack of a real transportation plan: highways and transit hand in hand.



The third area I will address is municipalities caught in the greenbelt area, some large, some small. Municipalities will be effectively bound into the current urban boundaries, a couple in my riding. One is Lincoln, a beautiful community of about 20,000 or 21,000 people, which will basically have its future growth frozen into its current footprint. The usual response from the government is, "They can redevelop their brownfields." I don't have an exact measure of that but I don't think that the amount, the quantity of brownfields currently available in towns like Lincoln or Pelham, even Brock, is adequate to ensure future growth in that municipality, a further increase in their tax base so they can continue to afford to put funds into good roads, good sewers.

In Lincoln, the constituents are looking for a new recreation centre. They currently don't have one up to the standards that the community demands. If that town is frozen into the greenbelt municipalities, its future growth limited, how could it handle, how could it afford this service that many other municipalities of similar size and similar wealth have—these types of communication centres?

Flaw number one: support for farmers—missing. Flaw number two: a comprehensive transportation plan to support the greenbelt—absent. Third: a plan to ensure that municipalities can be strong in the greenbelt area and continue to grow and prosper, particularly smaller municipalities that we've boxed in, without a great scope for developing in brownfields in the municipalities.

It is a good question, and I will look forward to debate in this Legislature. The greenbelt, if implemented correctly, could be a jewel for the entire province, the country and for visitors from abroad to enjoy.

**Hon Greg Sorbara (Minister of Finance):** You're right, and that's what's going to happen.

**Mr Hudak:** I ask the finance minister, though, why the entire tax burden should fall upon the municipalities in the greenbelt area. If this is a provincial jewel, should there not be support from the province of Ontario to the taxpayers in those municipalities?

**Hon Mr Sorbara:** That's exactly what's happened. They've never been happier.

**Mr Hudak:** I'm reassured by the finance minister's comments that that's exactly what's happening. Maybe in cabinet, that is what's happening. I am certainly encouraged the finance minister seems to indicate that, behind the scenes, plans to do just so are moving forward. I hope that's the case.

I would suggest, simply, that those plans that may be at cabinet right now being discussed in the Liberal caucus should be moved forward hand-in-hand with this legislation because, in the public hearings, farmers, municipal representatives and taxpayers have been rightly saying, "How are we going to ensure the future viability of our farms? How are we going to ensure that our community continues to grow and prosper if land use is restricted in this way?"

Certainly, if those plans that are happening—perhaps; we don't know—behind closed doors came out at the

same time, taxpayers would be much more relieved, farmers would be much more relieved that there is a plan in place, but I think they have ample cause to be doubtful about that.

Truth be told, it's been almost a year since the original greenbelt legislation was brought forward. These points that I raise in the Legislature and that my colleagues on this side of the House have brought forward have been on the floor for debate for some time, but we fail to see, really, any modicum of progress on these issues whatsoever. I think it would be responsible for the government to bring forward that agricultural plan, the transportation plan, the plan for municipalities at the same time they bring forward this legislation.

Fourth, I look forward to debate in this Legislature on the future supply of housing. I do believe it is a component of the Canadian dream to own your own home.

**Mr Gilles Bisson (Timmins-James Bay):** Housing for Attawapiskat, right?

**Mr Hudak:** While I don't think Attawapiskat, being somewhat further north, is part of the greenbelt legislation, I think it's an important issue. I enjoyed a trip down to Attawapiskat a few years ago. I appreciate the member from Timmins-James Bay's points about housing in Attawapiskat, an important issue that maybe he will discuss in the Legislature.

For today's debate on Bill 135, I want to know: Does the government have a plan to ensure that owning one's own home will still be achievable for average working families in the province of Ontario? I do believe that's part of the Canadian dream, to own your own home, to have that backyard which your daughter can play in, that garden, that space. I know that part of a shift the government is trying to promote is to get more people to live in apartments, in more highrises and more dense-living spaces. You talk about that quite a bit.

*Interjection.*

**Mr Hudak:** The member from Peterborough disagrees. I've heard that, maybe not from Peterborough, but from other members opposite. I think it's important to provide housing choices for individuals, depending on their current economic circumstances, the size of their families, but I do tell you that I don't think they can bring about that cultural shift that will see more and more Ontarians, a larger proportion, living in apartments, condos and high-rises. I expect that many Canadians will continue to want to live in their own homes with their own yards. If this legislation is not brought forward responsibly with that housing supply, that Canadian dream is increasingly unattainable for working families in the province of Ontario.

1650

I mentioned earlier, and I'll talk a bit later on, about the leapfrog effect, as my colleague from Simcoe had mentioned a short time ago. What underlies the leapfrog effect is that families are choosing to live in their own homes, to have some space, to have a yard and, as such, even if land is restricted significantly in the GTA, in the greenbelt, they will probably move outside of that area in



order to afford and live in that type of housing. Without that housing supply, without a transportation plan, that long, long commute from Barrie, from Orillia, from Kitchener-Waterloo, from Beamsville, just got a lot longer.

*Interjection.*

**Mr Hudak:** I'm glad my friend from Peterborough is here. We often have some good conversations during debate and rebuttal, and hopefully he'll have a chance to offer his thoughts from Peterborough's perspective.

But if there's one thing that I hope this debate will rise above, that is the notion that my colleague said a bit earlier, that either you are in favour of this greenbelt legislation or you want to pave over all of the green space. Maybe you were just teasing members of the assembly—you'll talk about that, I'm sure—but it's regrettable, because that is not what the opposition is saying.

It's an old political trick to say, "You're either with the legislation or you want to pave over all the green space." Far from it. In fact, what I'm bringing to the floor in debate today is to ensure that the preservation of green space is done responsibly, that we have a strong Golden Horseshoe area, one with green space that's preserved for generations to come, but one that has a plan to support our farmers, one that has a transportation plan, one that has a plan to ensure that our municipalities remain strong and vibrant, that taxes don't go through the roof, as is feared, and one to ensure that housing opportunities for young families in the province of Ontario continue to be affordable. So I hope this debate will rise above this notion that if you vote against 135, you prefer blacktop to green space. Quite the opposite. We want to ensure that green space and farmland stay green because it's in the farmer's interest, his or her economic interest, to do so.

I'm certainly very proud to have been part of a Progressive Conservative government under Mike Harris that had the largest expansion in green space and protected areas in the history of the province of Ontario through the Living Legacy and Lands for Life process. It's true. I'm very proud to have been part of the government that did that. I'm very proud to be part of the Progressive Conservative Party. That was the party under Bill Davis that brought in the Niagara Escarpment plan. Norm Sterling, as minister, I believe, in the 1980s did the update to that plan. I'm very proud to continue to be a part of the Progressive Conservative Party that brought in the Bruce Trail, which I believe may have started under Frost and was finished by Robarts, a trail that my constituents in the beautiful area of Lincoln, in the riding of Erie-Lincoln, continue to enjoy.

Let me tell you a bit about Lands for Life and Living Legacy. We addressed crown land that covered some 45% of the province of Ontario, the most comprehensive natural heritage program in provincial history. In November 2000, then-Premier Mike Harris announced funding of more than \$100 million to expand Living Legacy into a province-wide initiative. Some of the results: More than \$14 million has been spent to acquire

and protect more than 2,000 hectares of ecological lands, 129 additional parks and protected areas out of 378 now regulated and more on the way—signature sites, including the Great Lakes Heritage Coast. My colleague from Halton, a big proponent and a leader on that Great Lakes Heritage Coast, brought forward a private member's motion to ensure that good work continues at Kawartha Highlands.

*Interjection.*

**Mr Hudak:** There you go. The member for Peterborough likes the Kawartha Highlands—a smile on his face. I've never had the chance to visit. I'm sure it's a beautiful area. I know our minister at the time—I believe it was Chris Hodgson—was very much supportive of that: part of Ontario's Living Legacy, part of Mike Harris's initiative, part of the Progressive Conservative government that had the largest increase in protected spaces in the history of Ontario.

In January 2001, Premier Mike Harris announced the need for a made-in-Ontario Smart Growth strategy. My colleague Chris Hodgson—now retired from politics, but maybe making a comeback some day—moved forward the Smart Growth Initiative. It was a long-term strategy to ensure promotion and management of growth in communities to sustain strong economies, build strong communities and promote a healthy and long-lasting green space environment.

Let me tell you about some of the goals that were part of the Smart Growth Initiative: the movement of people and goods more efficiently, using existing infrastructure and resources to increase the capacity for economic growth, investing wisely in new infrastructure, managing growth and making tough choices about where development should go, expanding transportation choices within and between communities, protecting natural areas and farmland for future generations, encouraging growth in areas where it will have the least impact on the environment, and making sure all government practices foster smart growth. That was the Smart Growth Initiative. In many cases, to give credit to my friend the Minister of Public Infrastructure Renewal, many of these initiatives are part of his plan. In many cases—we'll discuss his bill probably later this week or next—it tied a red ribbon around the work of Minister Hodgson and his consultation, and Minister Young after him.

But the note that I want to present here in the Legislature is that that was a comprehensive plan. It talked about support for farmers; it talked about transportation; it talked about strong municipalities, hand in hand with protecting green space. And that is what is absent from Bill 135. Those are the fatal flaws of Bill 135. You don't have those plans in place.

**Mr Jeff Leal (Peterborough):** Talk about Al Leach.

**Mr Hudak:** I'll talk about Al Leach in a bit, I think.

The problem is that their plan doesn't incorporate that sort of comprehensive approach. It seems to be merely a land use exercise. I would say, too, at the end of the debate, and I'll say it now and hopefully it will have some resonance, that they should not call this bill for



second reading vote until that agriculture plan is made public and farmers are satisfied with it. I think it's the least they could do. After all, it has been about a year of consultation on that. They have a panel that has reported back, although there's no commitment from the government to take on any of those initiatives.

The Oak Ridges Moraine Protection Act—award-winning. In March 2003, Environment Commissioner Gord Miller presented the Ministry of Municipal Affairs and Housing with his annual recognition award, the ECO Recognition Award, for their efforts in protecting the Oak Ridges moraine. Gord Miller said at the time that it “should be a model for land use planning throughout southern Ontario.” So I'm certainly proud to be part of a government that brought forward bold, brave, visionary initiatives like the Lands for Life, like the Living Legacy, like the Oak Ridges moraine protection plan, like the other expansions and protections of green space that I mentioned. So we don't need the criticism that if you talk against Bill 135 you want to pave it all over. Let's leave that debate in the past—it holds no water—and talk about how we can make sure that any protection of green space is done in a responsible manner.

Probably at the top of my list, and what I hear from people in the riding of Erie-Lincoln, throughout Niagara and other areas and from my colleagues here in the Legislature, is an agricultural support plan. That old line holds true: If you want to protect farmland, you need to protect the farmer. We've heard this time and time again, I think at every public consultation meeting that's been held and probably every day at the committee hearings when we hear from deputations. I can list countless examples of when the government has heard this directly from industry, but today, almost a year later, there is still no agricultural support plan.

1700

As I said, you can't just wave a magic wand and decree that this land is going to stay in agricultural production forever. In order to have any kind of responsible greenbelt plan, you need a responsible plan to encourage economic viability on the farm. Austin Kirkby, a councillor in the town of Niagara-on-the-Lake, a third-generation farmer, farming in her family for over 40 years, said this at the hearings in Niagara on May 14, 2004: “Saving the land is easy: Just put all the restrictions you want in place and the land will be preserved. Imagine the frustration we feel as farmers when we read about the importance of saving the land because it is in the best interests of the economy, tourism or society in general, but there is no mention of ensuring the economic viability of the farmer. The farmer is the one who invests his money with the purchase of the farm, the rehabilitation of the land by removing unmarketable crops, underdraining, replanting new crop varieties and the wait for four years” or even more for that investment to pay off. The farmer is the one who ensures “the preservation of the agricultural land.”

York Region Federation of Agriculture's Terry O'Connor and Don Fieldhouse, the president and

secretary-treasurer respectively, to the standing committee on May 21, 2004: “The preservation of the economic viability of food producers is a prerequisite to the success of the protection of the greenbelt. The overall plan must include programs that will encourage farmers within the greenbelt to continue farming.”

The Niagara North Federation of Agriculture to the standing committee on May 14: “You can freeze the land but you cannot force people to farm it. It has to be mutually beneficial or the whole industry will die.” And Art Smith of the Ontario Fruit and Vegetable Growers Association, in *Grower* magazine, May 2004: “Save the farmer, and the farmer will save the land.”

The Grape Growers of Ontario: very strong. I spoke during question period a week or so ago about what the Grape King herself had to say about this plan—very strong language, and I can't understand for the life of me at this point, almost a year after this process began, the continuing and ongoing absence of any support plan for the agricultural sector, particularly for those in the greenbelt area. I certainly hear it. I hear it from the grape growers, I hear it from the peach growers and I hear it from farmers in my riding. I fail to understand why the government has not heard this. Surely they've heard it. They have just chosen not to act.

I was very disappointed at the estimates committee of a month or so ago when I asked Minister Gerretsen a number of questions about the greenbelt strategy. Here is a quote from Hansard. I said to him, “Can we expect some sort of agricultural support plan to come forward hand in hand with your permanent greenbelt legislation this fall?” The Honourable Mr Gerretsen said, “I think you'll have to wait until the bill gets introduced, and find out the details at that time.” But when Bill 135 came forward for first reading in this House, all farmers got was one big, empty bushel of broken promises—no support plan for farmers; none whatsoever.

The Vanclief report, some consultations done by the Ministry of Agriculture and Food, was posted with very little fanfare—no fanfare—and with very little notice on the OMAF Web site. They did go around, they did listen to farmers and they did put some ideas forward for the government's consideration. The problem was that there was no announcement that the government was going to follow through on these initiatives. They are reviewing them, but it seems to me eminently reasonable that the government support plan for farmers, that agricultural viability plan, should have come forward hand-in-hand with the greenbelt, with the announcement of the government's funding for these initiatives.

I will give you a few examples of some things that the farmers have suggested at committee hearings, and publicly, through the press, for example, or in their own letters.

They want to ensure that they can continue and there will be support for profitable, value-added businesses on their farm land. One way to do so is to ensure that the property tax class, through MPAC or through decisions of the government, makes sure it's an agricultural



facility; that they don't get taxed and taxed and taxed so that value-added would not be profitable on their farms. It seems a simple approach. I hope that still will come forward.

Increased promotion of agri-tourism, one of the recommendations of the Vancief report, if I recall, and one we would hope the government would have attached dollars to—maybe they still will. I just hoped it would have been in concert so we could be talking about it in the House today.

More “buy Ontario” initiatives, making sure that those crops that grow in the Holland Marsh or in the fruit belt in Niagara are purchased by Ontarians.

A suggestion I had before the assembly today, Bill 7, VQA wine stores, which will give a new outlet particularly to small and medium-sized wineries, the craft wineries, award-winning wineries—an ability for a greater retail presence. I like the bill, and if the government brings forward a similar bill, I'm going to be all for it. I will applaud that kind of initiative which will give greater market access to our VQA—let me be clear: VQA, 100% Ontario-grown product—VQA wine stores.

Substantial steps forward in this area under the previous government: a great, prosperous partnership between the grape growers, the wine council, the province of Ontario and the LCBO. They saw an additional 1.3 kilometres of shelf space added for Ontario wines, the equivalent, I think, of about six additional LCBO stores full of wine as part of these initiatives. The greatest increase in sales for VQA wines, I think, in the history of the province through direct promotion and marketing.

Support for agricultural infrastructure, the ability to draw raw water to support the farms.

Ontario Federation of Agriculture president Ron Bonnett said, with respect to the viability issues, there are a number of things with respect to taxation; take a look at the tax levels. One of the issues that is becoming a real problem for a number of farmers in the GTA is the fact that the assessment values have risen so high that all of a sudden they have a tax burden that is quite a bit higher than that of farmers in other parts of the province. They've actually made some suggestions on taking a look at some new mechanism to figuring out how to assess farmland property.

All very good suggestions, not one of which has yet to be acted upon by the Dalton McGuinty Liberal government.

Kalvin Reid, a reporter and columnist for the *St Catharines Standard*, recently wrote, “In a nutshell, the group,” and he meant the Niagara region's agricultural task force, “claims that, done incorrectly, the greenbelt will mean the death of the family farm, and will kill small towns in Niagara, driving up taxes while reducing services.” His words, not mine. His words that he got from the local task force, not mine. Strong language, and I've got to think that if groups are using this kind of strong language, that reflects a significant, major concern that this legislation has fatal flaws, particularly when it comes to supporting agriculture. I do hope, and I call on

the government to immediately bring forward their agricultural support plan, and not to call this bill for a vote until a plan satisfactory to farmers in the greenbelt area is brought forward.

1710

I'll talk a bit about municipalities as well. Actually, before I leave agriculture, there are some additional concerns that have come up with the new mapping of the greenbelt. The greenbelt map shifted significantly in its second rendition from the first. I think there's some upset about that, because people who felt they were outside of the greenbelt and did not go to the greenbelt hearings woke up the next day and found that they had been enveloped in the greenbelt area. I don't believe that was consulted upon, for example, with the farmers or municipal leaders or the business community in areas like Pelham, where the boundary shifted significantly to the south and gobbled up a great new area.

I know this has happened in other parts of the province as well. The region of Niagara continues to express concerns about the mapping: why municipal boundaries in settlement areas aren't properly reflected on the map. They question why the greenbelt line went farther and farther to the south, when Niagara region's own plan had the boundary farther to the north. It fits in, to an extent, with the way this legislation, in its first form—the first bill, Bill 27—was brought forward, where the Holland Marsh, the farm jewel in the province of Ontario, was effectively cut in half. Half the Holland Marsh was in, half the Holland Marsh was out.

You know why that came about? Because that legislation was rushed into the assembly on the heels of Dalton McGuinty's flip-flop on houses on the Oak Ridges moraine. I think the vast majority of the public, particularly those in the Golden Horseshoe area, recall that solemn pledge that not one additional house would be allowed on the Oak Ridges moraine, that the 6,600 homes, I believe, would all be stopped. This was one of the first and most significant promises broken by Dalton McGuinty. It started setting that trend, that treadmill he found himself on about more and more broken promises and his public image suffering significantly because he had broken his pledges to the people in the province of Ontario so quickly, so frequently and so dramatically.

We discovered as well during the estimates committee that the Liberals under Dalton McGuinty didn't use David Crombie. They didn't use Ron Vrancart. They didn't use respected outside advisers. They did not even use Ministry of Municipal Affairs staff when they broke their promise with respect to stopping homes on the Oak Ridges moraine. In fact, there is great speculation that the 900 or so homes that they did stop, of the 6,600 they had committed to, was actually dense housing. That was a dense area up along Yonge in Richmond Hill. In exchange for giving up housing rights on the area zoned for greater density, single-family dwellings will now be going up in Seaton.

If this speculation is correct, you have a government that says one thing on one hand, that it's against urban



sprawl and wants intensification, but its actions on the other behind closed doors, negotiations carried out by the Premier's chief of staff as opposed to a Vrancart or a Crombie or such, had exactly the opposite effect, will have the opposite impact of what this government purports to be about. I suppose it's not surprising. It certainly has that reputation of saying one thing and doing something completely different.

I think what is highly regrettable as well is that the Minister of Municipal Affairs at that time, during the estimates committee, indicated that these negotiations began some time between election day and the swearing in of cabinet, before he was even a Minister of Municipal Affairs, that the Premier's chief of staff entered into direct, secret negotiations with the developers.

The problem is—

**Mr Khalil Ramal (London-Fanshawe):** How does he know that?

**Mr Hudak:** The member asked how I know that. The Minister of Municipal Affairs said that. He did. Mr Prue was there with me at the estimates committee. I appreciate his honesty. It's certainly a rare commodity sometimes in this cabinet. But that's what he said, which means that Dalton McGuinty was out in the public saying he was going to stop every single house on the Oak Ridges moraine, up until October 20 or something like that, and all the while his chief of staff was negotiating to break that very promise.

*Interjection.*

**Mr Hudak:** I don't believe for a second that the chief of staff acted on his own, that he was out there negotiating as a maverick without the Premier's knowledge. I believe the Premier knew what was going on, knew negotiations were underway for him to break his promise and yet publicly kept saying he was going to keep his promise, which goes to character, a point I brought up time and time again: Premier McGuinty directly telling the people of Ontario one thing while actively, behind closed doors, with his full knowledge, doing quite the opposite. Highly regrettable. I'll leave it at that.

If you want to ensure the preservation of farmland, you need to ensure the preservation of the farmer. Hand in hand with this legislation, you need an agricultural support plan. I brought up some things, and other ideas are out there—I am pleased the Minister of Agriculture is here for the debate tonight—but it should be hand in hand with this legislation, so that when you go to public hearings and the farmers say, "How will I keep farming if commodity prices go down, if the government continues to cut agricultural programs?" they should have the answer right there on the table: "Here is the economic support plan for our farmers." But it continues to go missing.

Municipalities are increasingly making the point that towns like Brock, Stouffville and Lincoln are going to see their tax bases effectively frozen. There may be some room—likely limited—to expand within urban boundaries. But they will argue, I think quite rightly, that their tax base will be effectively frozen into the future. All

these municipalities face the same challenges of supporting their infrastructure, and I'll bet that municipal politicians will continue to improve programs or attempt to improve the services they have in those municipalities, whether it's roads or recreation centres that I mentioned earlier. They will face a very difficult choice between supporting services or dramatically increasing property taxes in their municipalities.

Those municipal politicians, I think, make a very valid point that I hope this government will choose to implement: that the province should directly support municipalities that are caught up in the greenbelt area, municipalities that will be seeing their future tax revenue and future growth plans significantly limited by this initiative.

Again, this isn't new. We've heard this from day one. This time in the year 2003, municipal politicians came forward and said this, but this very Minister of Municipal Affairs has not brought this forward, nor was there any funding within their estimates program to support these municipalities. Whether that is for the consolidated revenue fund—whether it will be directly flowed to municipalities through such—or whether it will be a special infrastructure program, municipal politicians have various good ideas. But the essential point is valid and should be adopted: If the greenbelt is to be a jewel for the entire province of Ontario to enjoy, the burden, the cost, should not be borne by the local taxpayer. The province of Ontario should directly support these municipalities.

Some examples have already come forward: A new grocery store and a Tim Hortons in one municipality, the township of Brock. The mayor of Brock estimates that almost 130 jobs would be created in this town if these projects could go forward. But if I understand correctly from what the mayor has said, it's stopped. You wonder if it's practically un-Canadian to stop a Tim Hortons. It's a good question for debate. But a Tim Hortons in a major shopping centre, and a grocery store, 130 jobs—it would be very valuable to a community of Brock's size—lost.

1720

Pickering Mayor Dave Ryan—Pickering is upset. The Duffins Rouge agricultural preserve, which the city designated for development, is included in the greenbelt, whereas the Greenwood area, which the city had wanted to withhold from development, is not.

*Interjection.*

**Mr Hudak:** Oh, if you've got a good point, it's helpful to us. My colleague from—Pickering-Ajax?

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** Pickering-Ajax-Uxbridge.

**Mr Hudak:** Thank you—from Pickering-Ajax-Uxbridge will have a chance to address this issue. But Mayor Ryan says, "It doesn't make sense to us."

Ian Urquhart summarized the argument quite well in the Toronto Star column of November 8. He says, "Other municipalities find themselves completely engulfed by the greenbelt. That means they can't rely on new revenues from development to pay for replacement of crumbling infrastructure."



Mayor Bill Hodgson of the town of Lincoln said the following: "We already have among the highest property taxes, and we don't have the kinds of facilities that other communities have. When I say 'other,' I mean more urban communities and certainly communities where there is significant rapid growth going on."

He goes on to say, "What we need to recognize, however, is that people live here"—in his town of Lincoln. "The majority of people are not farmers, they are not employed in the agricultural sector, and there is no justifiable reason that people whose towns will now be encompassed within the greenbelt area should be denied access to reasonable recreational and cultural facilities. These things are increasingly out of touch. I won't even go to the areas of buried infrastructure and roads."

Mayor Hodgson, I think, made a very good point and continues to do so, that direct support from the province for municipalities in the greenbelt area is absolutely essential for any kind of greenbelt strategy to be successful.

Whitchurch-Stouffville: "Because municipalities are so reliant on the property tax base to raise our revenues to fund local programs and services, we could be faced with spiralling tax increases."

**Mr Leal:** Who said that?

**Mr Hudak:** Whitchurch-Stouffville, at the hearings.

Debbie Zimmerman, the former regional chair of Niagara, and now a councillor for Grimsby, tends to be friendly toward Liberal causes. In the Niagara Falls Review on Monday, November 8, it said, "Taxes could go through the roof, and people won't want to live here," meaning greenbelt municipalities. "Or, we will have a bunch of corporate farms owned by two people," as opposed to the current family farm.

We've heard that case quite strongly, that the family farms will be very hard-pressed to make ends meet without an economic viability plan, and the only remaining farming in the greenbelt area, if it exists, could very well be large corporate farms. The family way of life on the farm, the family farm, may be a thing of the past in the greenbelt area if there is not a supportive agricultural plan to make sure it continues to pay to farm.

Albert Witteveen, president of the Niagara North Federation of Agriculture, is worried about development restrictions that will reduce farming's profitability.

In Uxbridge, "about 80% of Uxbridge's tax income is residential," said Mayor O'Connor. There you go. Mayor O'Connor went on to say, "More industry helps spread the tax burden and lifts some pressure off of homeowners. You've taken away our ability for commercial and industrial growth," she continued. "In the last year, we saw some significant new industry come to town, and that seemed healthy, but now the whole three northern municipalities are certainly looked at as places where there will not be future growth."

The approach seems straightforward. I think the Minister of Municipal Affairs should estimate what the growth rate of these communities should be, all else

constant, in the greenbelt area. They should examine the underlying reasons for that growth and see how they're impacted by the greenbelt legislation. Calculate that growth rate without the greenbelt and that growth rate with the greenbelt, and then compensate those municipalities, those local taxpayers, for that loss of growth. Help them afford that necessary infrastructure, those roads, that recreation complex for a town like Lincoln. Unfortunately, we're missing an agricultural plan and we're missing a plan to support greenbelt municipalities.

I know my colleagues behind me are concerned about leapfrogging. As families leave the GTA, they'll move outside of the greenbelt area. Kitchener-Waterloo, for one, will see its already strong growth rate become even greater. It will increase the commute from these homes outside of the greenbelt area into the GTA. More people on the road travelling to these leapfrog communities will cause congestion on our highways, cause environmental concerns and will increase the demand for public transit. However, sadly but unfortunately unsurprisingly, the transportation plan to support the greenbelt remains absent.

After a year—I'll say again, after a year—these concerns are not new. The concerns of the farmers, the concerns of taxpayers in greenbelt municipalities, the concerns of commuters are not new, but even after a year, those plans are missing.

One such important piece of this would be the mid-peninsula corridor. I think now it's sort of renamed the Niagara-GTA corridor, a new highway route coming from probably the Stevensville area and the Fort Erie area just after the international crossing at the Peace Bridge, probably up the QEW a bit, which would go west and northwest. It would take some pressure off the QEW, would help to develop the southern and southwestern part of the Niagara Peninsula, of Haldimand county. It would help get goods and services and tourists to market, get people home to their families more quickly and more efficiently, whether that's in the GTA east or, even more so, to the west in linking up that sort of Niagara-to-Windsor corridor.

But after about 13 months of this government and all kinds of lip service—

**Hon Mr Sorbara:** Lip service?

**Mr Hudak:** I think I'm being kind with that term. There has not been one step of progress on the mid-peninsula corridor; in fact, they've slammed the brakes and put it into reverse.

Now we're hearing again the Minister of Transportation further delaying the release of terms of reference for the environmental assessment for that highway—further delays. He's scrapping the original terms of reference. Who knows how many studies he will be reissuing and redoing, how many years of delay this is going to cause, but that delay is made even worse because of the inaction of the Minister of Transportation for more than a year now. A highway would support the greenbelt plan, would support that strategy, would take those growth pressures off the QEW and move them to the south, open



up greater growth for Port Colborne, Welland, Wainfleet and Dunnville, but there's no sign of that highway, which should have been part of this initiative.

Of course, a strong transit plan—increasing GO. Despite promises in the budget about a strong GTTA, I'm not aware of funding going through that. Certainly the gas tax money did not. So we've yet to see any comprehensive plan to support transit to the municipalities impacted by the greenbelt legislation and those municipalities that will be the new leapfrog municipalities.

**Mr Leal:** They just got the gas tax.

**Mr Hudak:** He says they got the gas tax for urban transit, but the gas tax, though, didn't go to GO. It didn't go for linking up transit systems. The GTTA, as far as I know or have seen to date, has no teeth, no funding, no ability to create a streamlined transit system. Maybe one day we will see that. It was certainly something that was promised, so I won't hold my breath.

1730

You've got to think that with the impact of the leapfrog communities caused by this legislation, it would have been sensible to have a transportation plan to ensure that people get to market, get to their jobs, get to visit their relatives, safely and efficiently. But unfortunately, there's no plan for the new highways and no plan for that streamlined public transit system.

Highway 406 is another one that I know leaders in Niagara will be pushing for: the extension of the four-laning of Highway 406 south, then to Welland, and then to Port Colborne. The argument will be that if you encourage growth to the south, Niagara, that will take some pressures off the tender fruit lands and off the government to expand the QEW and move that pressure to the south, which would be a major artery for investment, for job creation, for trade and for tourism in Niagara and in the GTA.

Unfortunately, highways like that—the 404 past Lake Simcoe, the Bradford bypass, completing Highway 407 through Durham to Highway 35/115—

**Mr Leal:** A great project; it's moving forward.

**Mr Hudak:** But we haven't seen it move forward.

**Mr Leal:** Ask my friend from Oshawa. He knows it's moving forward.

**Mr Hudak:** Well, I haven't seen the evidence of that. It should be part of a comprehensive transportation plan in support of the greenbelt initiative.

Extending Highway 427, as well; extending the 410—good examples of initiatives that would be part of a real transportation strategy that would address communities impacted by the greenbelt legislation and address those communities that have been impacted by the leapfrogging effect.

I know that colleagues on this side of the House and in the third party will be raising some serious questions about how the exact greenbelt map was determined. Ideally, you'd think that it would be based on science—some physiographic features, for example, that would determine greenbelt boundaries; existing plans, for example.

On TVO on Friday night, Susanna Kelley raised some very important concerns for debate in this Legislature. I expect her questions in the House about how these boundaries were determined. By the tone of her discussion on Backroom 411, I think she was concerned that a lot of these decisions were made based on politics, as opposed to the best interest of science and the best interest of preserving the highest-quality farmland.

The argument we're continuing to hear is that some good farmland is now scheduled to be developed and some less productive farmland is to be kept in farming—an important question as to why a large swath of land from the 400 to Barrie is wide open for developments but other similar areas to the east, in Simcoe, are not. How were these particular decisions made? Who made those decisions?

I think there's good cause for scepticism or for efforts into inquiring because of what we've learned about those 900 houses on the Oak Ridges moraine: that it was the Premier's chief of staff who entered into those direct negotiations with developers, as opposed to a third party, as opposed to using the resources or the science from the Ministry of Municipal Affairs.

I think we need some credible assurances in this Legislature that there is adequate land supply, so that young working families, new immigrants to this country and children leaving home and trying to buy their first home will have that opportunity to achieve that Canadian dream of owning their own home, of owning their own space. We've heard some reassurances, but we have not seen proof that the government has a plan to ensure that housing opportunities remain for working families in Ontario to afford their own home, their own yard, their own garden. It may not be the case for everybody, but I do believe that a significant number of Canadians want to own their own home as opposed to living in an apartment building for their entire lives.

I believe that Dalton McGuinty wants this legislation to be successful. If you were to ask ordinary folks on the street to name a major accomplishment of the Dalton McGuinty government in its first year, I think they would be very hard pressed to do so. "Broken promises" would be a comment, but I think they would be very hard pressed to name an example of a major success of the Dalton McGuinty government. That's why I think the greenbelt becomes increasingly important politically to Dalton McGuinty, so he has something he can talk about.

Certainly the premise of preserving green space—who would be against the notion of preserving additional green space for generations to come? Marcy's Woods in my riding of Erie-Lincoln is an example, and I appreciate the minister's support on Marcy's Woods. But the problem is, this legislation has fatal flaws because it has no agricultural support plan, it has no plan to support municipalities to ensure they continue to be strong and grow and can afford reasonable and needed services into the future. It's entirely missing a transportation strategy to address leapfrogging, to make sure people get to market, to their work, to visit their families quickly and



efficiently. It's missing an element to ensure that housing—individual homes—remains affordable to taxpayers in the province.

So I ask the members opposite to address these flaws. They've existed since day one. There has been plenty of input, plenty of suggestions, plenty of folks before the committee. I read some in Hansard: farmers of all stripes, municipal leaders of all persuasions. Transportation plans exist. Why has the government not brought forward these support initiatives and addressed these flaws in over a year? Because this is not simply an issue of zoning, you need to address the underlying economics to have a responsible greenbelt plan. I say to my colleagues across the floor—I ask them kindly—do not bring this legislation forward for a vote until you have that agricultural support plan in place satisfactory to greenbelt farmers, a simple thing to ask for. I also ask you to bring forward that municipal plan as well as a transportation plan.

**The Deputy Speaker:** Questions and comments?

**Ms Churley:** I have just a couple minutes to respond to the member for Erie-Lincoln. I heard some people say that the Tories want to pave more and the NDP wants to save more when it comes to the greenbelt. I have to admit that I don't mind the accusation that I, representing my caucus, and indeed all my caucus, want to see more land preserved and saved within this greenbelt.

I was interested to hear the Conservative member talk about some of the issues that we all have to debate and grapple with and make changes to for this bill to work. Whatever their motivation is—and I'm not sure from that speech, to tell the truth—I can tell you that some of the issues raised are issues we're going to have to fix if this is to work.

I mentioned previously, and the member mentioned as well, the sprawl, the huge piece of land that is left out, the leapfrog development in Simcoe, and the bulge, I call it, just hanging over the belt, exposed, which of course will be developed. That is a huge problem.

He also talked about the fact that there is no transportation plan. That is a major issue that hasn't been addressed. He talked about protecting the farmers.

I'm not talking about developer-driven speculative compensation, but there are programs that need to be put in place. I'm talking about the smaller municipalities that—for instance, the Tories made municipalities dependent on property taxes and development charges to pay the bills. What are they going to get in return for that? That was the wrong direction to go, and we need to plug these holes or this legislation is not going to work. That's my goal: to make sure those holes are plugged so we have greenbelt legislation that actually does what it purports to do.

1740

**Mr Lou Rinaldi (Northumberland):** I'd like to add my two minutes to the discussion on this debate. I believe I hear comments that the minister has divine rights once this legislation is passed. The minister is prepared to implement an advisory council made up of citizens with interest in the greenbelt and keeping such a vibrant

resource. So it's fairly clear that we want to work with the advisory council made up of local citizens from the areas affected so we can best manage the greenbelt legislation.

Some of the key goals we talked about are that we want to sustain the environment. Who could argue against sustaining the environment? We're not destroying farmland; we are protecting farmland.

I remember, wearing my municipal hat in a rural setting, where I had farmers come to the local municipalities to tell us, "No more severances, because we need land to grow crops. We cannot afford to have sprawl or strip development along a countryside." I have heard that loud and clear. I believe that this legislation will put the farming industry back on the right foot. Sure, there are difficult issues. Nobody is denying the fact that farmers are striving, through certain sectors, with some difficulties. I believe this is certainly something that will add to their sustainability in the future.

The decision about the greenbelt is not a stand-alone decision. Bill 136, I believe, was just introduced for places to grow in the greater Golden Horseshoe. The two go hand in hand. So I think we need to support this and get rolling as soon as we can.

**Mr John O'Toole (Durham):** It's always a pleasure to respond to the member from Erie-Lincoln, because, as our critic for municipal affairs, he does follow this. I should say, people who are interested in more detail on this should refer to the Hansard of the estimates committee when he cross-examined the Minister of Municipal Affairs on the issue of the land exchange and the interference from the Premier's office. He did briefly touch on it.

What I'm hearing from my constituents in the riding of Durham, and it would include—not at this time, of course, but in the future—Uxbridge. He mentioned Mayor Gerri Lynn O'Connor and their concern about—it's expropriation, really. At the end of the day, this is a piece of legislation that exempts property rights and it is sort of like a motherhood issue, because when one looks at property and the land that we have the privilege to occupy and to take care of as stewards—I think of agriculture in my area, as an example, farms with as little as 100 acres and probably as much as a couple of thousand acres. They are excellent stewards of the land, and, all of a sudden, by the stroke of a pen by Minister Gerretsen and Dalton McGuinty, their land has been rendered virtually frozen for any future appropriate uses, which could be, if you look at technology and agriculture, quite complex. Appropriate uses on agricultural land might include food processing, making corn into other products on the land, which would be prohibited uses of the land.

I am concerned primarily from the point of view of individuals' rights, without any form of compensation or even being addressed in this legislation. I can assure you that municipalities under compressed growth, the smart growth which is part of this—people's lives are going to be far more intense. The minister offers no proposals and no hope for the future. I think the member from Erie-



Lincoln has addressed many of the issues. I'll be speaking on the topic later.

**Mr Michael Prue (Beaches-East York):** It is indeed a privilege and an honour to comment on the member from Erie-Lincoln's comments. Although I do not agree with everything he has to say, he does always say it so eloquently, he does his research and he has a very definite point of view.

I was especially interested in his talk about what transpired in the meeting that we held in the estimates committee dealing with financial matters, when we were talking about the transfer of the land, because his questions were articulate, they were pointed and they got right to the nub of the issue, and that is, that the Premier's chief of staff was there doing the negotiations even prior to the Premier being sworn into office, even prior to his having a cabinet. There was somebody there, an unelected official, doing precisely the negotiation to make sure that the Oak Ridges moraine would continue in spite of the promises he had made during the election.

In the minute that's left, I'd also like to talk briefly about what the member from Northumberland commented on in terms of the member from Erie-Lincoln, and that is, not to worry, there's going to be a Greenbelt Advisory Council. I would caution all members to read the legislation, because it is prescriptive. It says, "The minister may establish ... a Greenbelt Advisory Council." It doesn't say "he shall" or "she shall." It says he "may" establish that Greenbelt Advisory Council, whose membership and terms of reference are determined by that selfsame minister, so that the minister can say, "Well, I don't know if I'm going to have one, but if I have one, I'm going to put all the people in who go along with my point of view or the point of view of the government." It's going to be a rubber stamp.

This is some of the difficulty that we in the NDP have with this legislation, that it is prescriptive. We would ask, if and when this goes to committee hearings, if and when it goes to third reading, that a very serious look be taken at the "may" provision.

**The Deputy Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I appreciate the comments of my colleagues. The member for Durham rightly brings up an important issue with respect to property rights and the major, dramatic impact on many taxpayers' property rights as a result of this bill.

I certainly appreciate the kind comments from the members for Beaches-East York and Toronto-Danforth. That's why I look forward to working with them here and in committee to ensure that any plan to preserve green space is done responsibly, with respect for taxpayers, farmers and municipal leaders, which is unfortunately totally absent.

The member for Northumberland made a few comments about the minister not taking divine rights, that he could appoint an advisory committee. The member for Beaches-East York replied to that very well.

The reality is, under this bill and under Bill 26 and Bill 27, the Minister of Municipal Affairs has assumed absolutely extraordinary powers to overrule local zoning plans, official plans and boundaries. The minister could change the boundaries of the greenbelt. He could declare a provincial interest at hearings before the OMB. Despite promises to the contrary, the McGuinty government has taken a startling amount of decision-making away from municipal leaders and brought it up to the office of the Minister of Municipal Affairs.

To my friend the Minister of Agriculture: One thing I didn't have a chance to mention is that in the report from Vancief, I do have some concerns about permitted on-farm uses. I think it's far too restrictive. For example, it limits the number of hours for people working on value-added, on-farm sites to 4,500 annually, which, if I did my calculations correctly, is a limit of two employees, and 1,600 square feet in size, a 40-by-40 building, will be very limiting.

Surely if you want to make sure the economic viability of farming continues, you need a support plan. The Vancief plan, unfortunately, falls short in this regard.

**The Deputy Speaker:** Further debate?

**Ms Churley:** First of all, I want to refer to my colleague Michael Prue from Beaches-East York, who is actually our municipal affairs critic. He is kindly ceding the floor to me on this issue because—

**Hon Mr Sorbara:** The front row takes over.

**Ms Churley:** That's right. But I should say that he has been doing a tremendous job in all of these issues that have been coming forward.

*Interjection.*

**Ms Churley:** He should be.

The New Democrats see this issue as primarily an environmental issue, but of course there are a lot of other issues involved as well. I will be going into some of those, and my colleague Michael Prue, when he has an opportunity to speak to this bill, will be going into some of those issues in more detail, as will my leader, who is the agricultural critic, and others who will be looking at different pieces of this bill and making suggestions to the government.

1750

I do want to say that my colleague for Beaches-East York pointed out that he sat on the estimates committee and heard first-hand—I was flabbergasted when he told me about this. The minister admitted—was it before the election was actually called?

*Interjection:* Before swearing in.

**Ms Churley:** Before he was actually sworn in, the new Premier actually had a chief of staff in the backroom, behind closed doors—I'm talking about what happened on the Oak Ridges moraine—secretly negotiating a trade-off, a deal, while still telling people, "We're going to keep our promise and not allow one stick of new housing to be built there." As it turned out, that promise was about to be broken.

It makes me think of the coal-fired plants and what's happening there. What's going on, what's being negotia-



ted behind the scenes when you have on an agenda for a Liberal conference on energy: "Under what circumstances could we, the Liberals, consider not keeping our promise to close the coal plants"? Not only that, but just to set the table here, we know that the Liberals, when in opposition, before they won the government, knew there was a huge deficit of over \$5 billion and didn't admit it.

**Mr Leal:** No, a risk.

**Ms Churley:** A risk. They're playing with language here. If you knew there was a risk—I've got even better quotes than that. Having set the table with that, I do want to thank Mr Prue for his contribution, support and help in this issue.

I find it interesting to listen to Liberal members talk about this bill, and I'm going to find it interesting, as we continue this debate, to see if any of the Liberals are actually listening to the concerns expressed by the opposition and by other independent groups out there. You may have seen a very interesting article in the Sunday Star:

"Will Greenbelt Halt Sprawl or Make it Much Worse?"

"Plan would boost growth, critics warn. Prime farmland still open for building."

It's a story that talks about Neptis, a very well respected independent body that has been doing a number of studies since, I think, 1998 on land use in Ontario. They have expressed some very grave concerns about what's been left out of this greenbelt and have said that if it's not fixed there is going to be massive amounts of sprawl allowed to go ahead despite this greenbelt bill before us: the issues that are being raised about leapfrog development within the Simcoe area, which I've raised time and time again; the big pipe in King City. In fact, I have here the Ontario Greenbelt Alliance hot spots. You might remember that I raised these issues on many occasions in the Legislature.

**Hon Mr Sorbara:** Oh, this speech is a year old.

**Ms Churley:** The Finance Minister says this speech is a year old. Isn't it too bad that I have to continue raising these issues because they've done very little about them, even now, having brought in the greenbelt. I am going to tell you why I'm raising these hot spots again, and I'll go into detail about a few of them.

After the final legislation came out—

*Interjection.*

**Ms Churley:** I know there are hearings going on right now, and we'll have an opportunity once again to make amendments, which I will do. I made them when the first piece of greenbelt legislation came forward. None of them were accepted. I'll be making them again.

When you look at the 10 hot spots—I counted them—we've got the Trafalgar moraine, Oakville, big plans for sprawl, nothing for air quality. I've got a check mark by that one.

I'll start with a positive one that's been included in the greenbelt. We have to go down to the Rockfort quarry, Caledon, which has been described as a watery grave for wildlife. Sorry, but even after the greenbelt has been brought forward, that's still—

**Hon Mr Sorbara:** A watery grave?

**Ms Churley:** Yes, a watery grave for wildlife. The reason is because the Liberal members don't know that this is excluded from the greenbelt. I'm going to tell them, since they seem so interested, why that's a problem. It is an application by a construction company to develop a quarry on the Rockfort farm. It's located in an environmentally sensitive headwater area on the Niagara Escarpment, north of Brampton. That is where it's located. The proposal is to extract and transport 1.5 million tonnes to 2.5 million tonnes of gravel, resulting in upwards of 1,000 trips a day. The Rockfort farm is located within an important and well-known wildlife area that lies between the hamlets of Terra Cotta and Belfountain. The nationally threatened Jefferson salamander—previously your colleague Mr Colle, when he was sitting in opposition, was quite concerned about this threatened Jefferson salamander. We're not hearing much from him on this today. Anyway, it has been identified in the area. Those salamanders are limited to forest and pocket wetland complexes within the GTA, and that is why it would be a watery grave for wildlife in that area.

Simcoe county is another one, leapfrogging over the greenbelt. Unfortunately, I thought the government was going to fix this one, because it's such a glaring error. On August 20, 2004, the Greenbelt Task Force's final advice and recommendations to the Ontario government flagged the fact that one of the big problems in the Liberal plan is insufficient protection against leapfrogging. They specifically talked about the developers planning to skip over the currently proposed greenbelt lands to build on lands further north, and that would mean the destruction of more prime farmland and natural heritage systems in the Golden Horseshoe. I called on the government back then and I'm calling on the government again today: If they really want us to believe they are going to prevent sprawl and protect prime agricultural land, they will do something about this leapfrog problem. It's very important.

Just so people understand the implications of leapfrogging over the greenbelt, here is what's going on. The effort to limit the sprawl overall in the GTA is being undermined by a whole flood of new development applications in areas not targeted for protection that continue not to be targeted for protection under the Greenbelt Act. The area is sprouting an incredible number of new development applications, and has been for some time now, in the absence of any protective legislation. So I say again that the Simcoe county area needs to be included in this greenbelt legislation. The area contains major forest blocks and rivers flowing north off the Oak Ridges moraine and the Niagara Escarpment. It is prime food-growing land for southern Ontario, of course, not to mention that it's going to not only gobble up more farmland there, but in terms of leapfrogging, there is going to be even more. There will have to be highways built to accommodate that. There will be more sprawl, there will be more smog and there will be more traffic jams. That is the situation with this.

I'm going to very quickly, in my couple of minutes left for today before I continue tomorrow, talk about a

couple more. North Leslie, in Richmond Hill, one of the most threatened sites in Ontario, has been half protected. So we need to get the government to take that a step further and protect it all.

These are some of the areas—I think there were four or five—out of the 10 that the government did step in and protect under this greenbelt legislation, but the rest have been left off. I will be fighting to make sure that those are included when I bring in my amendments.

At that, I'll close for today. I have a lot more to say on this bill, and I'm sure the Liberals are very much looking forward to it and will be taking notes so that they can put forward those amendments when we take this to committee. Thank you for this opportunity today.

**The Deputy Speaker:** It being 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)		<b>Gerretsen, Hon / L'hon John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)		
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Davenport	Ruprecht, Tony (L)	Lanark-Carleton	Runciman, Robert W. (PC)
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Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Niagara Falls	Craiton, Kim (L)
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Simcoe-Grey	Wilson, Jim (PC)		
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Assemblée législative  
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Première session, 38<sup>e</sup> législature

**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 15 November 2004**

**Lundi 15 novembre 2004**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 15 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 15 novembre 2004

*The House met at 1845.*

## ORDERS OF THE DAY

### PUBLIC SAFETY RELATED TO DOGS STATUTE LAW AMENDMENT ACT, 2004

### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LA SÉCURITÉ PUBLIQUE RELATIVE AUX CHIENS

Resuming the debate adjourned on November 4, 2004, on the motion for second reading of Bill 132, An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act / *Projet de loi 132, Loi modifiant la Loi sur la responsabilité des propriétaires de chiens pour accroître la sécurité publique relativement aux chiens, y compris les pit-bulls, et apportant des modifications connexes à la Loi sur les animaux destinés à la recherche.*

**The Acting Speaker (Mr Jerry J. Ouellette):** It's time for questions and comments.

**Mr Peter Kormos (Niagara Centre):** I'm going to be having the floor in around 10 minutes' time for the leadoff on behalf of the New Democratic Party and I'm looking forward to it.

I am incredibly concerned about the manner and style with which the government has pursued this particular legislative endeavour, a level of hysteria that, I tell you, is not becoming of the Attorney General and the government members.

New Democrats are as eager as anybody in this Legislature—and I, quite frankly, would not accept anybody pointing a finger and suggesting that somehow anybody here, whether it's a Conservative, a New Democrat or a Liberal, hasn't got an interest in protecting people against attacks by vicious, dangerous animals. But we take great quarrel with the observation that if you're not for the bill, then you must somehow be for attacks by dogs on kids. Bull feathers, rot, garbage. What an embarrassing stance for the government to take.

New Democrats have been very clear: Let's see the evidence, let's hear from the experts, because so far we've heard the hyperbole that's written by the minions in the backroom, sitting at their PCs, crafting the spin-doctoring statements and press releases. Let's hear from the Canadian veterinary association; let's hear from the SPCA. Let's hear from experts in animal breeding about

the nature of dogs and the history of dogs; let's hear from the American expertise, because, quite frankly, I have scoured the available research and found little of any substance to date that supports the government's approach to this very serious issue of breed-specific banning. I found scarce support for that.

This is far too important an issue. Shame on members who would create law on the basis of emotion and fears that have been fabricated and victims who have been exploited. Let's do it on the basis of science and reason, please.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** This is a continuation of the debate from the week before last on Bill 132.

Just looking at the title of the bill, it says, "An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act." I think there's a lot still to be discussed in this bill. The title does include pit bulls, but the title also talks about dogs and public safety in general. I see no problem with debating this issue. I think it's worthwhile to look at it.

1850

There have been attacks on individuals throughout Ontario by pit bulls and, yes, there have been attacks by other types of dogs. But let's debate this bill. Let's hear from all sides and, if necessary, go to committee and look at possible—

**Mr Garfield Dunlop (Simcoe North):** Don't dream about that, buddy.

**Mr Berardinetti:** The honourable member for Simcoe North has referred to me as "buddy," Mr Speaker. It's kind of inappropriate to be referred to as "buddy," but with all due respect, I take "buddy" in a friendly way from the member from Simcoe North.

Anyway, I think that when we debate this further, sure, we can look at amendments and we can look at and hear from, hopefully, other experts on this issue, but it's an issue that needs to be addressed. This government has decided that it wants to address this issue and look at this issue. The alternative would be to just do nothing, and I think that's wrong.

We're moving in the right direction. A bill has been put forward. The Attorney General is moving in the right direction. Let's hear what the other parties have to say, and let's prepare a law that is most appropriate for this province.

**Mr Dunlop:** I'm pleased to rise this evening. I'm going to tell you right up front, and I'll say this a number



of times through my comments this evening: In its present form, there's no way that I would ever support this bill.

Listening to the previous speaker making his two-minute comments, to even dream that we wouldn't go to committee on this bill would be unthinkable in this House. You insinuated, "if" it gets to committee. It should get to committee, and one thing I'm really looking forward to is hearing the comments from the government on why they're going to support this bill in its present form.

I know that we've got a lot of 20-minute rotations—three or four days of them—and some 10-minute rotations. We expect you to use your full 20 minutes and 10 minutes to make sure you get these points across. Don't cut it off at seven or eight minutes into a 20-minute speech and say, "That's all we're going to do tonight." We want to hear all the reasons, 20 minutes of reasons why you would actually support this piece of legislation.

It's important, because we want to debate this bill. It's a very important bill. It's one that wasn't in your election platform. That's the first thing. There are hundreds and hundreds of promises you made, most of which you've broken so far, but in the meantime you've come up with this little bill, the pit bull terrier bill. I can't support it in its present form and look forward to all the comments you'll make in trying to change my mind on this.

On the other hand, I know that it's done for political purposes. Simply, the Attorney General needed to bring forth something positive. It helps his political career, because he thinks he has the support of all the citizens of Ontario on his side. When they toss out Mr McGuinty as the leader, he'll be one of the people on the sidelines looking to be the leader of that party over there. I fully believe that that's what will happen.

*Interjection.*

**Mr Dunlop:** Yeah? Well, you mark my words: Mr Bryant's name will be on the ballot after Mr McGuinty is long gone.

Thank you very much. I look forward to a lot of debate on this.

**Mr David Zimmer (Willowdale):** Let me speak to the reasonableness of this bill, because the previous speaker and some of the other speakers in the opposition have unnecessarily rung alarm bells that somehow this legislation is unreasonable, over the top, intrusive.

It's important to keep in mind that the legislation is very reasonable. It asks pit bull owners to do a few simple things. It says, "Look, if you've got a pit bull, keep it on a leash." Is that unreasonable? Is that onerous? It says to the pit bull owner, "In addition to the leash, if you take it out in public, put a muzzle on it." Is that unreasonable? It also says to the pit bull owner, "If you want to keep the pit bull, have it spayed or neutered." Is that unreasonable? My office has checked around on the cost of that. It's about \$150 or \$200 to spay or neuter a pit bull.

The other thing that we're asking—we're telling people what the legislation says—is that if you've got a

pit bull and you leash it, muzzle it and spay or neuter it, you can keep it for its natural lifetime. In the meantime, you can't breed them and you can't import them. The pit bull will naturally die out. We recognize the rights and the sensibilities of existing pit bull owners.

This is a small price to pay to ensure the safety of children, adults walking in the park, people in schoolyards and police officers who have to investigate these things. It's a matter of a leash, a muzzle and getting it spayed or neutered, and you can keep your pit bull and the rest of us are protected. It is a reasonable piece of legislation.

**The Acting Speaker:** The member from Barrie-Simcoe-Bradford has two minutes to wrap up.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'd like respond to the comments by the members from Niagara Centre, Scarborough Southwest, Simcoe North and Willowdale.

I've heard today, in terms of the lack of consultation—I think that's what the member from Niagara Centre was talking about: the manner and style, the lack of consultation with the key stakeholder groups. I got a letter today from Tim Trow, the president of the Toronto Humane Society, who makes a number of valid points. He says that humane societies won't be able to shelter and find homes as they have been able to do for generations. Instead, hapless pets will be destroyed or sent by municipal pounds for use as subjects in research experiments. Section 6 of the bill says pit bulls can only be surrendered/abandoned to a municipal pound, not to humane societies. Section 17: A humane society inspector "who seizes a dog ... shall promptly deliver the seized dog to a" municipal "pound." Subsections 8(1) and (2): The pounds can keep pit bulls, and research facilities can requisition them. We're talking about some fairly serious inroads into the normal practice with respect to the protection of animals.

The member from Scarborough Southwest talked about public hearings. The Attorney General the other day committed to public hearings. I think he should commit to three weeks of public hearings all across the province to make sure there's some meaningful discussion.

The member from Willowdale talks about muzzling and leashing. The current law under the dog owners' occupation is under the municipalities. They do those things right now: muzzling and leashing. The problem with this bill is that it misrepresents what's going on. They haven't done anything substantive with respect to changing the Dog Owners' Liability Act other than increasing fines. People out there think this is all new and all changed. Nothing has been changed with respect to the protection of the public. All he's talking about is, "I'm going to ban pit bulls. You're all going to be safe." This bill is flawed—it's got too many questions—and I can tell you it has not changed the existing law with respect to protecting the public. It's a mug's game, and I can tell you the Attorney General is misleading the public.

**The Acting Speaker:** Further debate?

**Mr Kormos:** I appreciate this opportunity to speak to this bill and what I sincerely hope is the beginning of a thorough debate around the merits of this legislation. Again I want to make it very clear on behalf of the New Democrats, and I'll be bold enough to say, that I don't believe there's a member of this Legislature, not a member, regardless of their political affiliation, who isn't sincerely interested in controlling, if not bringing an end to, attacks by vicious dogs, dangerous dogs, vicious animals, on people, especially kids.

The issue, quite frankly, is whether the breed-specific ban being proposed by the government achieves that end. It's really quite simple; it's as simple as that. Does the breed-specific ban—the banning of pit bulls and their kin, I suppose, or pit bulls, their kin and dogs that look like pit bulls—achieve the end? I've got to tell you, I am waiting to discover the pieces of empirical data that confirm that.

With the assistance of staff who have worked very, very hard, and the input of any number of folks and groups out there across Ontario and beyond, let's do a brief list: The Ontario Society for the Prevention of Cruelty to Animals says that the legislation, the breed-specific ban, doesn't address breeding for aggression, training for fighting or other issues related to responsible ownership. It indicates that the bill is not statistically supported.

The Ontario Veterinary Medical Association, a group of professionals, well-trained professionals, people working with dogs and other animals on a daily basis, is very specific in its opposition to this legislation and the breed-specific ban. Veterinarians in this province indicate that bans won't help, that education and non-breed-specific dangerous dog legislation is required to generate the public safety desired.

The Canadian Kennel Club, opposed to the ban; Dog Legislation Council of Canada, opposed to the ban; Toronto Humane Society, opposed to the ban; Canadian Federation of Humane Societies, opposed to the ban; Canada Safety Council, which addresses public safety issues across the board and has no particular affinity to or affection for dogs or cats or any other animal, opposed to the ban, not out of any particular sympathy for any particular dog or breed of dogs, but because they say it won't work to achieve the goal that this government tells us they're interested in achieving.

1900

We go beyond these Canadian and Ontario authorities and we discover the Atlanta Centers for Disease Control in the United States, with a population 10 times that of Canada, acknowledging that there is, again, somewhat difficult data available: "Targeting a specific breed may be unproductive. A more effective approach may be to target chronically irresponsible dog owners."

The American Veterinary Medical Association: "Singling out one or two breeds for control can result in a false sense of accomplishment and create a false sense of security." They point out, of course, that "dogs from

small breeds also bite and are capable of causing severe injury."

I've got a little more to come. I want to go back to April 29, 1998, a tragic day for so many people in Stouffville, Ontario. A little girl, Courtney Trempe, eight years old, was killed in a dog attack. The dog lunged at her neck. This poor little girl died from massive blood loss and asphyxiation. The dog was eventually put down, of course. The owner was devastated. What a vicious, cruel way for anybody to die, especially a little kid. How frightening that must have been. How frightening. How incredibly terrifying. But you see, it wasn't a pit bull that killed Courtney Trempe; it was a bull mastiff, a dog which is not contemplated in this legislation. Ban pit bulls all you want; it's of little comfort to the kid who's then mauled or mauled to death by a dog of another breed that's a vicious dog. Banning pit bulls is of little comfort to the kid who's mauled or mauled to death by a vicious dog of another breed.

The remarkable thing, and the very valuable result, was in the Courtney Trempe coroner's jury and the recommendations that they made. It is a document that I wish this government had spent a little more time with. If the government isn't going to do it and the minister isn't going to do it, I wish the members of that caucus would do it. It's a document that the members of that Liberal caucus should spend a little bit of time studying.

I'm going to make some references to it in just a minute. But before I do that, I'm going to make reference to a March 2002 CBC broadcast that reported on the follow-up to the tragic death of Courtney Trempe, who was attacked by a vicious dog: not a pit bull but a bull mastiff, a breed that is not being contemplated by this legislation.

It indicates that a federal study suggests that for the well-trusted family dog, as compared to the strange dog that's encountered, the trust is grossly misplaced. That study finds that family dogs, the dogs that the family knows and trusts, are the worst offenders for bites and attacks on people, on members of that family. The most common biters, according to this federal study, are German shepherds, cocker spaniels, Rottweilers and golden retrievers. The pit bull doesn't make the top four, according to this study.

This is the whole point. If this study is inaccurate, then let the government stand up and legitimately point out the flaws in that study or its conclusions. All I know is that down where I come from, where, yes, common sense—withstanding it was hijacked for eight years by those guys; you know who I'm talking about—prevails, people understand that the goal has got to be to rein in and control vicious or dangerous dogs of any breed rather than the panacea of banning pit bulls that don't even make the top four in this federal study.

It's noted here that other than Rottweilers, those breeds named—shepherds, cocker spaniels and retrievers—are among the most common in Canadian homes. In fact, in that same report by the CBC in 2002, John and Donna Trempe, the parents of poor Courtney, were



interviewed, and they're not so sure that banning breeds is the answer. Donna Trempe said, "There's always going to be the good and the bad, I think, in any breed. I don't think you're ever going to ban every dog that's going to bite; you should be responsible for it." The owner of that bull mastiff that killed Courtney, that was put down promptly, said, "When you look at the statistics of dog bites—bull mastiffs don't even sort of show up on the radar. They're below dogs like cocker spaniels in terms of bites. The problem is it might be a lot like trying to swat a fly with a sledgehammer. Once you start banning breeds, where do you draw the line?"

I have yet to see any serious and legitimate data that support the proposition that a breed-specific ban presents itself as the solution that the Attorney General sure as heck says it does, but with not a bit, not a scintilla, of evidence.

The Courtney Trempe jurors heard all of the horrible details of her death, but also heard from a significant number of experts and considered and contemplated a whole lot of expertise, and the jury went on with an extensive list of recommendations. I've got them here. I'm not going to read them all, because I only have an hour. It's not my idea to only give me an hour. Those are the rules. That's what the rule changes did. I didn't support the rule changes. You understand that. But I only have an hour.

The Courtney Trempe jurors said that education is imperative, that the Minister of Education require all Ontario boards of education to implement a student education program in elementary schools for the prevention of dog bites, so the kids understand what they can and can't do, especially with a strange animal, or their own family dog, and how they can deal with an aggressive dog or a dog that poses a danger to them.

It goes on to recommend that children's television programming include similar sorts of education inserted throughout. Among other things, they recommend that the Ontario College of Family Physicians undertake to educate their members in this matter, in view of the fact that infants and young children are the most frequent victims of dog bites by all breeds.

#### 1910

I've got to tell you, I've been bitten by dogs many times, because I've been canvassing door to door since I was 12 years old; I have. That's 40 years of knocking on doors during election campaigns. You can't work that many election campaigns across Ontario in as many cities as I have without being bitten by dogs of all shapes, sizes, colours and breeds, let me tell you. Inevitably, I knock on the door and some wonderful, nice elderly woman will answer. The dog will be barking, as it's supposed to, and she'll say, "Oh, don't worry. He doesn't bite."

I remember the sucker in the by-election up there in Nickel Belt, and this little terrier knew I was wearing cowboy boots, because it leaped up and got me on top of the calf, right above the boot. This woman was accepting a lawn sign for the candidate I'm canvassing for. The dog

latched on to me, and I swear it was swinging sideways. I could feel the blood starting to warm the back of my leg. The dog wouldn't let go. I thought, "You damned dog." It knew I was wearing boots and got me just above the cowboy boot. A pair of slacks was of no use after that. She got a lawn sign, though. That was no pit bull, I tell you. That was one of those mommy's little puppies.

**Mr Dunlop:** It was probably a chihuahua.

**Mr Kormos:** Yes. How many of us have pulled into a country yard and seen that farm yard dog just barking? I'm not getting out of my pickup until somebody who looks like they know that dog comes to the door of my truck. That dog is doing what it's supposed to do. Never mind when you're a kid, trying to sneak into the Pelina and Mataya junkyard down at the end of East Main Street so you can steal those spinner knobs off the steering wheels; I've had more than one youthful encounter with the literal, not proverbial, junkyard dog. I'm not trying to minimize the impact of dog bites.

I appreciate that any confrontation with a dog is incredibly frightening, especially for a kid, and can be traumatic. But what I'm trying to illustrate is that my anecdotal experience, like I suspect most people's in this room and most of those folks watching, is that you don't have to be any particular breed of dog to bite. You've got to be reared in a certain way, maybe bred in a certain way, treated in a certain way or, as Ms Martel more appropriately points out, mistreated or designed to do a particular job or simply be with an owner who doesn't understand the capacity of his or her animal.

The fact is that these are domesticated animals. These weren't, in terms of their history, natural family pets. It seems to me, when you go on a little more, that the Trempe jury recommendations ought to be given a whole lot more weight in the course of this debate than the government has given them so far.

I repeat, I am incredibly concerned about the manner in which the Attorney General trotted out this legislation. I was at that press conference. Oh, he marched in there, by God. He had the press gallery and the lights and the flash bulbs flashing, and he did his "Pit bulls banned, pit bulls banned." I understand working the media; trust me. I understand trying to grab a clip in that evening's television news and the things that you have to do from time to time to get that clip. But now that the press conference is over and now that we're here debating this legislation, let's look at the evidence. That's all I ask, and I don't think that's an incredibly unfair request.

Where's the evidence, I say to the parliamentary assistant, that supports this legislation?

**Mr Zimmer:** Give me my two minutes.

**Mr Kormos:** Ah, two minutes. Mr Zimmer says, "Two minutes." That's about all the time he'll need to present the evidence, because there's only two minutes' worth of evidence. That's why we need more than a two-minute flash in the pan here to debate this.

I want to hear from folks from the Atlanta Centers for Disease Control, and I want to determine whether they are still opposed to breed-specific banning, and why. I

want to hear from the Canada Safety Council. I want them to tell us not only their data and evidence but also the expertise upon which they base their conclusion that breed-specific bans don't work. I want to have folks from the Ontario Society for the Prevention of Cruelty to Animals. I want to have people from the Toronto Humane Society. And while you're talking about the Toronto Humane Society, you might as well call in the folks from down in Niagara. Like Mr Hudak will tell when you he speaks to this bill for an hour, the Welland humane society, along with so many others, with its incredible wealth of experience dealing with good dogs and bad dogs, stray dogs and trained dogs, vicious dogs and mild dogs, says breed-specific bans don't work.

I know that somebody from the government is going trot out that old chestnut about Winnipeg. Of course the number of bites by pit bulls has decreased, because they eliminated pit bulls from Winnipeg. But the number of bites from other breeds, according to any number of sources, has increased.

Let me put this proposition to you, and it's what some of the research and data talk about: This year it happens to be pit bulls; if we reflect, not too long ago it was Rottweilers; before that, it was Dobermans; before that it was, who knows, perhaps German shepherds. I want to know exactly what the pit bull population is, I want to know how valid the dog bite statistics are and I want to know how carefully we collect that data, because I suspect we don't collect it very well. I suspect that most dog bites aren't reported, and I also suspect there was something of a spike in the pit bull population because it happens to be the breed of the month.

It's not a new breed. Get this: During World War I, pit bulls were used in the trenches by the military. Pit bulls were some of the heroes of that tragic war with its huge cost of life. The pit bull was the dog in that RCA Victrola ad; you know, "His Master's Voice," and the pit bull sitting there. Heck, Spanky and the gang—who were they? The Little Rascals: pit bull. Buster Brown shoes: pit bull.

As a matter of fact, the Staffordshire bull terrier, one of the breeds this government wants to simply ban, is known as the nanny dog. That's what it's colloquially known as, because of its effectiveness, gentleness and accommodation of children, according to this source. I'll be quite candid: It's an e-mail I received from Maureen Pyke. I'm going to give Hansard the names so they can make sure the spelling is correct.

*Interjection.*

**Mr Kormos:** Fine, I'm sure she did. Mr Ramal says she e-mailed everyone. Why shouldn't she? What's wrong with that? Is she not entitled to? Does it somehow diminish the impact of her e-mail that she e-mailed everyone? What's the matter with you? Please, Mr Ramal. Shame.

Ms Pyke e-mailed and said:

"I own two Staffordshire bull terriers affected by this legislation.

"The 'nanny dog' (as they are affectionately known around the world) is rare here in Canada (1,000 dogs in the entire country) but in Britain there are 250,000! One of Britain's most popular breeds, and where do they stand on the bite statistics? Four tenths of one per cent are committed by a Staffordshire bull terrier, not even in the top 100 breeds that bite."

**1920**

I don't know whether that's accurate or not. I have no reason to disbelieve Ms Pyke. I, quite frankly, suggest to the government that if Ms Pyke is wrong, and as one Liberal backbencher wants to point out with some scorn, she e-mailed this to everybody—I presume at least to him. I hope she did e-mail it to everybody. You see, this is a very serious consideration.

**Mr Khalil Ramal (London-Fanshawe):** On a point of order, Speaker: Just for the record, I mentioned that she e-mailed everyone not to go against her—

**The Acting Speaker:** That is not a point of order. The member for Niagara Centre may continue.

**Mr Kormos:** I'd suggest to Mr Ramal that he use his 20 minutes' speaking time and speak to the bill when his chance comes, because—

**The Acting Speaker:** The member from Niagara Centre, could you please refer to them by their ridings?

**Mr Kormos:** My apologies; Mr Ramal, from London-Fanshawe. You're right; his folks, the people whom he represents, ought to know.

So there's Maureen Pyke with that observation about the nanny dog. I find it pretty troubling that somehow the government is going to have us believe that by eliminating this nanny dog, the Staffordshire bull terrier, which Ms Pyke says isn't even in the top 100 in Britain's stats, is going to solve vicious dog attacks. My concern is that Ms Pyke may well be right, and then we'll have done nothing to protect kids or other people from vicious dog attacks.

The Courtney Trempe jury recommendations: education, education, education—coming from veterinarians, schools, family physicians, paediatricians and Web sites—regarding responsible dog ownership, and that it be provided to people acquiring dogs from breeders and pet store owners.

"Recommend that all dog owners"—this is an interesting one; I don't know how people think about it—"be required to post a provincial standard sign indicating that a dog lives on the premises."

They recommended "that all dog acquirers be required to take a course in pet ownership and responsibility."

I had a dog—Charlie the beagle. I talked to you about him before. I took Charlie to a dog obedience school—this is a true story. Dogs are like their owners. He ended up getting thrown out of school too. It made me feel young again. They said, "That's it." Then, a friend of mine, Charlie Ryall, who breeds and trains retrievers out in Niagara Falls—some of you know him; the lawyer. Charlie had a fellow who worked for the Niagara Parks Commission who trained his retrievers, and he suggested that I take Charlie the beagle out to see this fellow, so I



did. I explained that Charlie got thrown out of dog obedience school. The guy said, "Breed?" I said, "Beagle." The guy said, "Does he bark?" I said, "Oh, yeah." The guy said, "He's trained. There's nothing more I can do for him."

Beagles are incredible dogs. Charlie never bit anybody, but if Charlie could sneak his way out, he'd pick up a scent and he'd be gone for hours and hours. It reached the point where—because the humane society would pick him up, and then I'd have to spend 50 bucks or something to bail him out, right?—people would call the humane society because Charlie would be sleeping on their front lawn, just exhausted after having travelled Lord knows how many miles to the other side of town. They'd call the humane society, and they'd say, "Oh, that's Charlie the beagle. Here's Kormos's phone number." The people would call me up and I'd say, "I'll be over to pick him up." They'd say, "Don't rush. He's so sweet."

Charlie is no longer with us. Charlie has gone on. I can't talk about Charlie without commending Joanne Bouchard, my neighbour, for taking such tremendous care of him. She took more care of him than I did, because I was up here, of course, right?

The Trempe jury recommendations: education. They then speak of legislative changes. That's particularly relevant to what's being discussed here.

"Recommend that the Dog Owners' Liability Act"—that's the legislation that this bill purports to amend—"be amended to allow for ex parte hearings in which the court may order that an owner of a dog take steps for more effective control of a dog or may order that a dog be destroyed."

They talk about allowing a judge "to order that a dog be confined or restrained by leash or muzzle when on the owner's property or in public..."; identify in the act "methods by which dogs may be restrained"—leashing, muzzling, dog enclosure; amendment to the act "to provide for an automatic restraint order for dogs that are ordered by a judge to be destroyed." Of course.

They recommend that fines be substantially increased. The government's going to say, "We did that." Well, yes; that's big.

Prohibition from ownership—it's in the act.

They recommended that the Dog Owners' Liability Act be amended to prohibit guard dogs and attack dogs being trained "other than for the purpose of ownership by police or a registered security agency and that they only be housed in totally secured areas or taken out in the hands of an authorized and certified person."

Interesting, isn't it? Because a dog that has been trained for security and attack is no longer necessarily, in my view—and again, let's hear from the experts—the proverbial family pet.

"Reporting, recording and research"—the jury had considerable concerns about the type of data that was available to anybody here in this country: that there be an updating and improving of current reporting procedures, a province-wide system of record-keeping; that muni-

cipalities keep records; a toll-free number accessible for all dog owners as a help line; licensing and registration of dogs to permit province-wide tracking; they recommended that the tagging and licensing of dogs be incorporated with rabies injections to produce a single dog tag—an interesting proposition.

You know what dog tags are for the municipality, don't you? It's not a way of regulating dogs; it's a way of generating revenue in conjunction with the SPCA, which is inevitably cash-strapped. They cut a deal in terms of the transfer payment from the municipality to the SPCA, which constantly has to go cap in hand to the city council begging for more money. They have to go out there doing bake sales, fundraising and raffles, when they're charged to do very demanding work in terms of animal control, including dangerous animal control. So dog tags are nothing about regulating dogs; of course not. They're about fundraising. Let's not kid ourselves.

The jury's recommendation was a more serious approach, a province-wide approach, to tagging and licensing of dogs and incorporating it with rabies injections. Interesting, especially for dogs that are in rural areas, semi-rural areas, whether it's down where I come from in Niagara or up north where Ms Martel comes from, where dogs, as potential victims of rabid animals like raccoons, among others, could then become carriers of rabies themselves.

Recommendation number 28: "Recommend that the provincial government develop a protocol which requires that a dog involved in a serious biting incident be given behavioural and physical testing by qualified individuals, prior to being euthanized, in order to improve our knowledge of why such incidents take place."

Recommendations regarding breeders, trainers and animal shelters: "... certification process for breeders, trainers and behaviourists as a requirement for obtaining a business licence.

"... examine ways to regulate the selling of dogs in pet stores in order to limit the sale of improperly bred dogs."

I talked about how it's my suspicion—and we really need the data to confirm or refute this—that pit bulls, as the dog of the month, if you will, have spiked in population. We also know from previous experience—and it's strange what will do it. Do you remember? You're so young, you were maybe not even born when Disney's 101 Dalmatians—remember that cartoon? A phenomenon like 101 Dalmatians produces an incredible demand for Dalmatians. So the breeders get into the act and start breeding dogs. You get some badly bred dogs because you've got a whole lot of inbreeding simply because of the demand to produce these dogs because kids see the cartoon and they're nagging. Quite frankly, it's happening—you've seen it with German shepherds in terms of hip problems that German shepherds have: the result of a whole lot of bad breeding because of the huge demand for German shepherds, some very irresponsible breeders responding to the market. We saw it with Dalmatians. Every time there's one of those Disney

things—it's that whole phenomenon of anthropomorphism, isn't it?

That's really no small or insignificant part of what this is all about. It's about not understanding that dogs, all dogs, have, not too far back in their genetic history, the status of undomesticated animals. I'm sorry to say that to folks. You know the little cockapoo sitting on the ches-terfield, you know the little puppy? It wasn't too long ago in that animal's genetic history that it wasn't a domestic animal. People have to understand that when they're interacting with dogs and using dogs either as companions or as working dogs, be it farmers or any other number of people: guard dogs, watchdogs and so on. So my concern—and that's why this last recommendation is pretty profound, examining and putting more focus on dogs that do bite, and bad bites, to help understand why—is that there may be a whole lot, by this point, just as there were of shepherds, just as there were of Dobermans, I am told—it may well have been the phenomenon with Rottweilers, too, I don't know—is that some bad breeders have produced some bad pit bulls, but that pit bulls, in and of themselves, aren't bad.

Recommendations 29 to 32, regulation of the selling of dogs in pet stores: "Recommend that the Canadian Kennel Club require a behaviour component in all confirmation classes...."

"Recommend that all animal shelters"—catch this one—"neuter or spay the dogs they release to the public for adoption." Of course, they'd need the financial support from the province to do that, wouldn't they?

### 1930

If this government were really serious about addressing some of the issues out there, it would be funding humane societies and SPCAs, however they happen to be run in any given community, to effect the neutering or spaying of any animal that's taken in. That would include cats too, quite frankly. And why not?

Now that we're talking about money, understand that this legislation is downloaded on to municipalities. Down where I come from, as I've made reference, we've got a humane society that is constantly scrambling for financial support—constantly. I mean, heck, deal with the investigations into whether or not a puppy has a granddaddy that's a pit bull or a puppy that looks like a pit bull and maybe is just going to be snatched away from some little kid—that's a hyperbolic, emotional sort of thing to say and is probably totally irrelevant to the argument. Imagine some overzealous humane society officer snatching a puppy from a little kid's arms because it might be a pit bull.

Don't wrinkle your noses like that. That's about as valid as the Attorney General marching into the media studio saying, "Pit bulls: banned, gone." Why doesn't the province get serious about the role of animal control and support humane societies and SPCAs with the money they need to spay or neuter every animal that's taken into their custody?

"Recommend that the province recognize the importance of dog bite prevention by providing adequate fund-

ing and other resources to address this problem in areas of education, enforcement"—enforcement, that's what I've been trying to tell you: the enforceability of this legislation alone and the incapacity, the lack of capacity by municipalities with their animal control officers. Look, there's a whole pile of municipalities across the province now that only have animal control officers five days a week, eight hours a day during daylight hours. Trust me. The reference was made by the Attorney General that the police will jump in and fill the gap. Horse feathers, once again. What baloney. Our cops are too darned stressed and understaffed now to deal with Criminal Code offences. We've got grow houses all over the province. We've got airplanes up there detecting them with thermal imaging kind of stuff, and the cops can't bust them because they haven't got the resources to shut down these grow houses and bust organized crime. All that does is give the Solicitor General cause for more futile, feckless press conferences. Talk about a ministry that's been spayed and neutered. All it can do is press conferences, instead of staffing police forces with cops out there to bust criminals.

"Recommendations to the federal government"—this one is critical: "Recommend that Health Canada create an agency to collect and analyze provincial information relating to dog bites and attacks." There is a thorough paucity of data in this province and in this country about dog bites. Who is the victim of them and what dogs are the perpetrators of them? Unfortunately, the most frequent source of information is what happens to be on the front page of the newspaper on a particular occasion. I'm not satisfied at all that there is a disproportionate number of dog bites—even a disproportionate number of dog bites—by pit bulls compared to other dogs, especially when I read the references to federal studies contained in that CBC broadcast back in 2002, which lists the top four dog biters in this country, none of which are pit bulls.

So I commend to government members a perusal of the Courtney Trempe jury recommendations. Quite frankly, it's a lot more valuable reading than the fluff and puffery that accompanied the Attorney General's legislation, which is more about headlines than about protecting people from dangerous or vicious animals.

My staff told me I was getting e-mails from folks opposed to the pit bull ban, so I said to my staff down in Welland, "You make sure each one is acknowledged." They didn't appreciate me telling them that. They said, "But you don't understand; there are 800 so far," 800 individual e-mails. I've got to confess I haven't read them all. I haven't read them all, but I have determined that they're not form letters. Each one is a story in and of itself, and they range from just plain folks to dog breeders to animal enthusiasts.

What I'm going to do, because these people deserve to have their voices heard, and I've only got 21 minutes left—if I could have unanimous consent to do two hours, to have an additional hour, I'd dearly love to do a little more justice—



**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Peter, can I go through that pile?

**Mr Kormos:** Lalonde, haven't you got a junket to go on? There's a plane waiting somewhere for you. You leave me alone. I've got some reading to do.

I'm going read some of these into the record. May I have unanimous consent for an additional hour, please, Speaker?

**The Acting Speaker:** The member has asked for unanimous consent for an additional hour. I heard a no.

**Mr Kormos:** OK. I talked to you about Maureen Pyke. Here's Doreen Davies: "I am against any ban on specific animals." That's a short one.

Let's get down to Lynn and Randy:

"Subject: Pit bull ban.

"Dear Mr Kormos,

"I would first like to thank you for taking this stand, and here are my thoughts. The facts have not been presented. Mr Bryant has left out the ones that go against his arguments. Winnipeg has had a 600% increase in non-pit bull incidents since the pit bull ban has been in effect.... Just like guns are only a problem in the wrong hands, so is it for the pit bull.

"Randy Noel,

"Mount Albert, Ontario."

Here's one from Mario Amaral: "I am e-mailing you because of this ridiculous pit bull ban that the Hon Michael Bryant is trying to pass. As you are well aware, there are many flaws in Mr Bryant's argument, as well as misinformation. He has stated that he has met with organizations on both sides of the argument. However, it has been widely publicized that this is inaccurate, to say the least."

Yes, I suspect that the Canadian Kennel Club, the Ontario veterinary association, the OSPCA and a whole lot of groups would have things to say about this once this comes to committee hearings, because my understanding—

*Interjection.*

**Mr Kormos:** Well, parade them out. Let's hear from them. My understanding is that these people weren't consulted in anticipation of the bill. Indeed, the bill dramatically demonstrates that, because there's nothing in the bill that is supported or advocated by any of the best possible evidence.

Here's an e-mail from Maureen Catlow, Windsor, Ontario:

"Dear Sir,

"I believe we should have a very strict dangerous dog bylaw, that owners should be held seriously accountable for the behaviour of their dogs, and that high fines and prison time are quite appropriate for those who do not intend to obey the law.

"The law is useless without enforcement.... A breed ban is such an unfair solution, when all are punished for the actions of a few."

Here's one from Marjorie Healey: "I would like to give my opinion on the proposed ban. The US has been trying to stop people who breed for and hold dog fights

for many years. These dog fight people are the type of people that should be targeted. Any dog will bite if it is taught to do so, and the irresponsible owners should be held accountable, not a specific breed."

Marcia Murray-Stoof: "I have never owned a pit bull but do believe that any breed of dog's temperament is a result of raising and ownership, not genes.

"There are numerous animal agencies that agree banning is not a solution....

"Personally, of all dog bites and attacks I have seen, never has it been a pit bull. I have witnessed a Yorkshire terrier attack a two-year-old, a Dalmatian a 12-year-old, a German shepherd attack children and adults on several occasions, a corgi his owner"—as a matter of fact, I think Her Majesty, or at least some of her family, have had trouble from time to time with corgis—"and a golden Lab his owner.

"I have known three families with pit bulls, and they have never had a problem of any sort with aggression.

"Banning is not the solution. It is avoidance of dealing with the real issues of dog attacks, and that is the dogs' owners."

**1940**

Maureen Jennings, Toronto, Ontario: "I think for Ontario to introduce this legislation is very foolish. There is absolutely no evidence that breed-specific legislation is effective in preventing unprovoked dog attacks"—and it goes on.

Linda McIntyre, Aylmer, Ontario: "I am writing in regards to proposed breed-specific legislation the Liberal government wants to impose."

*Interjections.*

**Mr Kormos:** You see, they're squealing. The porcine squealing coming from the government backbenchers is getting louder. If only they would let me have a second hour, I could read more of these with the names of the authors. They're the ones who denied me the unanimous consent. So cut out the porcine squealing, or else I'll bring in a private member's bill to ban porcine squealing in the Legislature.

"Dear Mr Kormos,

"I am writing in regards to proposed breed-specific legislation the Liberal government wants to impose. While I firmly believe that tougher legislation is long overdue, I do not believe banning certain breeds is the answer. As Mr Bryant is using Winnipeg as a role model, you only have to look at their statistics. Bites are up. He has never mentioned Calgary. They have incredible bylaws: zero tolerance for all breeds."

Here's a lengthy e-mail. My goodness, she sent this to all Liberal MPPs. I hope no Liberal backbencher stands up and somehow diminishes the impact of it because she dared. Lori Gray, from Alliston, Ontario, had the audacity, as a member of this provincial community, to send this to all the Liberals. That gets the Liberals riled up. You saw that just 30 minutes ago. We had a Liberal riled up, standing up on a point of order, wanting to somehow suggest that a reference I made to an e-mail was not as valid as it could be because that e-mail had been sent to

everybody. Well, why aren't you standing up and reading them, Mr Ramal?

Lori Gray writes, "To Whom This May Concern." That means us.

"For 10 years now I have awakened to two wet noses"—hold on—"and attached to those noses are two American Staffordshire terriers named Pete and Tess.

"Pete I acquired five years ago, as he belonged to a local drug dealer who was busted by our OPP in this area. I am a friend of the attending sergeant of this detachment, who was the acting officer at the scene"—and on and on. It talks about the incredible relationship she's got with Pete and Tess.

But you see, I anticipate that some oh-so-clever, oh-so-sharp government members might stand up in two minutes and say, "Well, those are individual people with their own experiences. That's not science." That's exactly the point. It's not science. Nor can the victims who can be brought forward by the government, who have been tragically attacked by pit bulls, be used as an argument that banning pit bulls is the solution to vicious dog bites. That's the point. It's not science.

That's why we have got to hear from the scientists and examine the data as best as it can be acquired and presented. I put to you that the government is as loath as it is to deal with evidence that isn't anecdotal, to deal with evidence that's scientific, because the scientific evidence coming from the American Centers for Disease Control, from the Canada Safety Council, from the Ontario SPCA, from the National Companion Animal Coalition and from the Ontario Veterinary Medical Association is to the effect that breed-specific bans don't work.

E-mail: There's one from Michelle Cameron.

Here's one from Mike and Jean Dabros: "I would appreciate it very much if you could find the time to read my e-mail." I guess now, Mike and Jean Dabros, I've proven that I have. Here's "a copy of an e-mail my husband sent to our MPP, John Gerretsen, on Sunday that I am fairly certain he has not taken the time to read, since he has yet to respond to our invitation.

"I received a letter yesterday from the Premier, Dalton McGuinty, telling me how much he valued my views, yet as soon as I read the first paragraph, it was more than obvious that he had not taken the time to read my letter," and she goes on.

Mr Dabros, who's a lieutenant colonel, writes, "As my elected MPP who will vote on this law, do you know what a Staffordshire bull terrier is? Have you read the CKC breed standard for this dog that demands that they breed true to a temperament that is non-human-aggressive and in fact highlights a required fondness for children?" This goes back to what I told you: the nanny dog, a Staffordshire bull terrier.

"Do you know that people routinely erroneously identify mutt pit bulls as purebred Staffordshire bull terriers?"

There's another voice that has a right to be heard: Mirosław Slonski, who also happens to be an engineer.

Mirosław Slonski addresses me: "To begin, I must commend you for the position you have taken in the provincial Parliament to oppose backdoor legislation that the McGuinty government has been trying to fast-track without any public input....

"Once again, please accept my gratitude for ensuring that Ontarians have a say in this or any other...."

Brigitte and Monique Nagy, I suspect, are dog owners because they say, "On behalf of Rosir, Emmy, Marble, Pickles, Mandy, Puppy and numerous others who cannot speak for themselves"—I think those are the puppies. I just got a feeling; "Pickles" was the tipoff there.

"First and foremost, let me start off by saying that the sheer ignorance of so many so-called 'Homo sapiens' both deeply saddens and disgusts me in the extreme. During the 1980s, it was the Doberman, during the 1990s the Rottweiler and now it's the pit bull. Before a hysterical individual spouts off on this or any other subject, it should be mandatory for them to do some research. I recommend the 2003 study entitled, *Fatal Dog Attacks*, by Karen Delise." She goes on expressing thorough objection to this legislation and the proposition that a breed-specific ban is—

Here's one from Nancy Clements, Toronto, Ontario, who writes:

"Hello, Howard and Peter:

"I've said this to Marilyn Churley, my local MPP. However, Peter, since you commented on this bill today, I thought you might be interested in my message to Mr Bryant." She goes on, "Mr Bryant, I was saddened and disappointed to learn that you have introduced Bill 132 with very little public consultation other than with those who share your views."

Here's one that should be somewhat telling to the Liberal members. Selma Mulvey from Burford, Ontario, writes:

"Dear Mr Kormos:

"I have just watched Ontario Legislative Assembly proceedings.... I have written to Messrs Bryant and McGuinty, with no reply." Here are the last two notes to them.

Catch this one, addressed to me, "Thank you for speaking out on this issue and for showing common sense. It is a refreshing change from the hysterical performances of Mr Bryant on CBC." Catch that. If there's a member of the public who's saying that Kormos is being calm and reflective and you're being hysterical, put that in your pipes and smoke it, friends, because that is the most telling comment that was made in all of these 800 e-mails, I say to you right here and now.

Here's an e-mail from Steven Paraskevopoulos.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Paraske—what?

**Mr Kormos:** Don't make fun. It's a Greek name, Mr McMeekin. I appreciate he's not an Anglo-Saxon type, but Paraskevopoulos is a noble Greek name, as a matter of fact. I know a lot of people in the Paraskevopoulos family. It's a big family.

"Dear Mr Kormos:



"I am writing this note in hopes of preventing the further vilification of a breed that I have been associated with for over 15 years ... extending understanding of idiosyncrasies of the American pit bull terrier, as well as firm opinions as to why it has found itself in its current situation." He goes on to talk about his employment, establishing his credibility and background—but again, incredibly concerned.

Here's one from Penny DiClemente. She doesn't give an address but she's got a 416 number: "As an Ontario taxpayer and voter, I demand that the Liberal government scrap Bill 132 in favour of an Accountable Dog Owners Act, not breed bans."

Meaghan Edwards, Hamilton, Ontario: "I myself do not own a pit bull or related breed, but I know that breed-specific legislation is just a band-aid solution to a serious problem regarding dog attacks."

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Mary Jo Canonico is a 65-year-old grandmother with a 10-year-old rescued pit bull named Molly: "I have been attacked and bitten on three separate occasions, by a border collie, shepherd mix and an English setter. Each dog was unleashed and the owner could not control their dog."

"Enforce the laws already on the books. Stop backyard breeders.... Punish irresponsible dog owners, and not the breed. Where I live, 60% of dogs are off-leash."

Here's one from Paul Wilkinson: "I am writing to you to express my concern regarding Michael Bryant's proposed ban on pit bulls in Ontario.... I will, however, support legislation that would place responsibility with the dog owner, provided it does not affect any specific breed."

Liz Ruork of Toronto: "Please help us to fight this legislation, which will not solve the problem of dog-on-dog or dog-on-human aggression."

S.R. Shepherd, from London, Ontario: "I am not a lover of pit bulls. However, I am against Bill 132. I fear that this is a typical piece of legislation that ignores the real problem, which is up-to-date, enforceable legislation that deals with puppy mills, pet stores, cruelty and irresponsible pet owners."

Darren Trach sends an e-mail: "I am writing to you today to voice my concern about the proposed legislation banning pit bulls. I am a proud Staffordshire terrier owner." Isn't that the one they call the nanny dog over in Britain because it's good with kids? "I am not a criminal. I am a civic employee and volunteer my time with many community organizations and events."

Here's one from Deanna Maerz: "I am writing to express my concern over the ban of pit bull terriers. I'm deeply disturbed and strongly oppose Bill 132."

Sharon Aron, from Ottawa, Ontario: "I am writing to express my concern with Bill 132."

Stephanie Ferguson: "I would like to take the time to say thank you.... You have opened the eyes of other politicians and the public to the skewed facts that the Attorney General has been citing, and the holes in his legislation."

Here's Terri-Lee Kelly: "It is a sad day in Ontario when our democratic way takes a back seat to grandstanding. Michael Bryant should be ashamed of himself."

Jean Radley includes a 416 telephone number, no address: "I strongly oppose the ban as well. I think that the media has caused hysteria and made people crazy."

Connie Brown of Peterborough: "Michael Bryant is attempting to legislate a ban on pit bulls.... To me, it would make more sense to legislate mandatory spay/neuter of dogs over six months of age unless they are part of a registered breeding kennel...." This is valuable stuff. This is more consistent with the Courtney Trempe jury recommendations than with this lopsided and, quite frankly, insincere attempt by the government to create a lot of flash and spin. She's talking about mandatory spaying/neutering "of all dogs over six months of age unless they are part of a registered breeding kennel where the breeder belongs to a national breed club and/or national kennel club." That's a fascinating observation.

Judy Karam in Thunder Bay: "Though it feels like our provincial government has bamboozled its unknowing constituents ... this ignorant piece of legislation does need to be stopped."

Kathleen Pollock, Belleville, Ontario: "I am very opposed to Bill 132."

Sharon Robertson: "I am appalled that our government is trying ram through breed banning legislation."

Kerstin Stafford, Ottawa, Ontario: "As a responsible large dog owner, I can state for a fact that you cannot ban breeds with any success. All dogs bite."

Melvin and Joan Beech: "On behalf of dedicated dog breeders in Ontario, please consider that the ban on pit bulls is unfair. It includes legitimate breeds of dogs, ie, American Staffordshire, Staffordshire, American pit bull etc. This legislation has the same value as the federal gun registry and is akin to banning butter knives along with AK-47s." Interesting.

Nelson Ross. I'm sorry, folks, we're running out of time: Nelson Ross; Ryan Byrd, Parkdale-High Park; Sarah Boileau; Sheri Heckler; Nichola Burgess; Laura S. Fleming, Toronto; Ken Hernden, North Bay; Kevin Nibbs, Kanata; Kerri Losier from St Catharines. Oh, look. I haven't read this before:

"Dear Mr Kormos,

"As a constituent of your riding who voted for you"—thank you very much, Kerri—"and my mother helped campaign for you, I am asking for your help in regards to Bill 132.

"I agree with a small portion of the bill as it is tabled as of the first reading. However, I urge you not to allow this bill to pass in the way it is written.

"I agree that there needs to be more of an onus on owners of any dog, but I do not believe in the banning of a breed."

This is as reasoned an observation as any Ontarian could make. She understands that there has to be something done about vicious and dangerous dogs, but she,

like the experts, says you don't achieve that by banning breeds.

So I say to you, New Democrats insist that this bill receive thorough, lengthy and complete public hearing consideration across this province. There has to be an opportunity for Ontarians from every part of Ontario, urban and rural, north and south, east and west, to address this bill, and there has to be thorough consideration of the expert evidence that will be available to us during the course of those same public committee hearings.

**The Acting Speaker:** Just before we begin questions and comments, I would remind all members that anyone who wishes to comment, heckle, howl or bark must do so from their seat in order that Hansard can correctly identify the member.

**Mr Zimmer:** We've heard a lot of talk from the member from Niagara Centre, an hour of talk, but here are the facts, six simple facts.

Fact number one: Pit bulls are qualitatively different from any other breed.

Fact number two: If you keep an eye on the press and the media, you read day after day of the serious, tragic harm that pit bulls do to innocent citizens—men, women and children.

Fact number three: The legislation is reasonable. It's moderate. All we're saying to pit bull owners is, first, that you can no longer breed them, and second, you can't import them. If you do have a pit bull and you want to keep it, do three simple things: leash it, muzzle it, have it spayed or neutered. That's a small expense.

The fact is that there is huge public support for this legislation. All the major newspapers, all the mid-sized newspapers, all the small-town newspapers offer editorial support for this legislation. Municipal politicians across the board—mayors, councillors—from the large cities, the mid-sized cities and the rural communities, support this legislation. Ontario's police officers support this legislation.

Finally, we've heard a lot from the member from Niagara Centre and others that somehow this government has been negligent in its obligation to consult. This government has consulted extensively with all the parties, all the stakeholders that are interested in this legislation.

The fact of the matter is, it's reasonable legislation and it's moderate legislation.

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**Mr Tim Hudak (Erie-Lincoln):** I hope to have a chance to speak to this bill in greater detail. Like my colleague from Niagara Centre, I have extensive e-mails coming in from across the province of Ontario from people opposing this ill-considered legislation that is nothing but a publicity tool for the Attorney General. There's no doubt he was effective, when he was sitting back here, getting in the media once in a while. He had some good photo ops. I think this is more about trying to get the Attorney General back on the television screens and the newspapers than bringing forward responsible legislation.

**Mr Dunlop:** Bumper-sticker politics.

**Mr Hudak:** Bumper-sticker politics, my colleague says. It is very true.

Elizabeth Lind writes in with a number of reasons why this pit bull ban should be abandoned and dangerous dog legislation in general should be strengthened. Here's another one from Amanda from Niagara Falls, Ontario, unfortunately reflecting the same thing the member for Niagara Centre pointed out. She has written to the Attorney General, and the response? Nothing, nada, zip, goose egg. She says we should put better laws in place to address cruelty, abuse, neglect, backyard breeding and irresponsible owners, as opposed to ending the lives of this particular breed of dogs.

The St Catharines and District Kennel and Obedience Club sent a letter to Minister Bryant as well, saying the board of directors and members of the St Catharines and District Kennel and Obedience Club strongly oppose legislation directed at banning specific bull breeds: "We believe a dangerous dog is a product of many factors, not breed alone. They should be dealt with individually as opposed to banning breeds."

I know my colleague talked about support for the legislation. We wonder if there is some. We've come across a curious e-mail to a number of people, including Liberal ministers' staffers, saying, "Take a minute and sign this on-line petition to support the minister's ban." Do you know who it's sent by? Tom Allison, the senior adviser to the Attorney General—somebody in the minister's office trying to generate publicity for this. This is pathetic.

**Ms Shelley Martel (Nickel Belt):** Let me say a couple of things in response to what my colleague Mr Kormos has said.

First of all, there's no doubt in my mind that this legislation really does need to go to committee so we can have a full airing of all of the concerns and, secondly, so the committee can actually call on legislative research to provide the necessary statistical information that would support or not support what the government wants to do.

I saw some of Mr Bryant's comments, not on Studio 2, a couple of weeks ago—I'll read them into the record later—and I really wondered where he got his information from. I think it is imperative that people who have a concern on both sides of this issue have a forum where they can come and have their say.

The other reason that I think it's important to have full public hearings is because, despite what I have heard some Liberals say, the fact of the matter is there are some reasonable, legitimate and credible groups that are opposed to what you're trying to do, who argue very strongly that if you want to get at public safety, if that is the number one goal that the government is trying to achieve, then you're not going to get that through banning a specific breed. You will get it dealing with dangerous dog legislation. Let me just deal with some of those groups.

The Ontario Society for the Prevention of Cruelty to Animals strongly believes that any breed-specific ban



would not be an effective solution. Then they go on to make at least eight points about what could be in a strategy for dangerous dogs.

Secondly, we've got the Ontario Veterinary Medical Association, a group of professionals who deal with animals every day and who could probably give us some very interesting information.

We've got the Canada Safety Council, which says very clearly that breed bans should not be used as a quick fix, and the solution lies in effective animal control measures. They go on.

These are the kinds of people who need to come and have their say so we can have an intelligent discussion about this legislation.

**Mr John Milloy (Kitchener Centre):** It's a pleasure to comment on the comments made by the member from Niagara Centre.

I just want to say that tonight's debate reminds me a bit of some of the debates that have gone on in communities over smoking bans, where municipal councils heard that if they enacted a smoking ban the sky would fall, restaurants would close, bars would go under. Three or four years later, you find in the community practically 100% support for it. That has been the experience in my community.

I'm very proud tonight, if only for two minutes, to talk about the experience in Kitchener Centre, in the city of Kitchener, where, several years ago, there were 18 pit bull attacks a year. The city council came forward with a series of recommendations that resulted in a pit bull ban in my community, one which I understand has been used as a model for the legislation that has gone forward.

At the time, we heard again that the sky was going to fall; we heard all the same sorts of arguments that have been put forward by the opposition tonight. What do you find several years later? I just spent the last constituency week, of course, in my riding, meeting with people, and what you find is that people in the city of Kitchener are saying, "What's the fuss? We enacted this several years ago; there were 18 attacks a year. Now there is only about one attack a year." When you look at the efforts of individuals like Berry Vrbancovic, one of our leading councillors, when you look at our mayor, Carl Zehr, what you see is forward-looking people who put up with the arguments that were put forward by the opposition, who did the right thing and brought forward the type of measures which we want to do province-wide.

I close by quoting Carl Zehr, the mayor of the city of Kitchener: "Every Ontarian in every city across Ontario deserves the same level of safety that we have in Kitchener." That's what this legislation would do. It has been a success in Kitchener, and it will be a success in the province of Ontario.

**The Acting Speaker:** The member has two minutes to wrap up.

**Mr Kormos:** I appreciate the stories about banning tobacco, and I appreciate again the anecdotal observations of any number of people, but let's take a look at the evidence. The Canadian Veterinary Journal, August

1996, long before this bill was drafted—it's a consideration of the research and it questions whether breed-specific legislation will reduce dog bites: "Children under the age of five faced the greatest risk of being bitten by a dog, and medium and large breeds, including German shepherds, shepherd mixes and Rottweilers were the breeds most frequently identified as the biting dogs." It goes on to talk about breed-specific legislation: "No one will argue that some pit bulls have been known to inflict serious injuries.... However, such actions," that is, responses, "should be taken against any dangerous dog, regardless of breed."

"Breed-specific legislation has three ... weaknesses." It goes on that under-inclusiveness is among them.

"A report in the May 1990 edition of the Journal of the American Veterinary Medical Association [states that] ... during 1989, 164 out of 165 municipalities in the US considered breed-specific legislation but passed generic dog legislation instead." If we want to prevent all bites, there is only one sure way, and that is to ban all dogs.

The end of the line is: The American Centers for Disease Control says no to breed-specific banning, the American Veterinary Medical Association says no, the Ontario Society for the Prevention of Cruelty to Animals says no, the Ontario Medical Veterinary Association says no, the Canada Safety Council says no—not because they're somehow going to the wall for a vicious breed of dog, but because they say that's not the solution. Now, is the government calling these people wackos, crackpots, irrelevant, somehow unlearned? The government surely didn't consult them in the preparation of this legislation. I say, let's have committee hearings, let's air this once and for all, get the evidence on the table.

**The Acting Speaker:** Further debate?

**Mr Ramal:** Thank you Mr Speaker—

**Mr Kormos:** Twenty minutes, Khalil. Twenty minutes.

**Mr Ramal:** I'll try my best, my friend.

I'm always honoured and privileged to stand up in this House to speak about various issues and different bills. Today we are debating Bill 132. This regulation states that every—I know it's going to have many speakers in this House. I listened to speaker from Niagara Centre—

**Mr Kormos:** You interrupted me persistently.

**Mr Ramal:** No, I was just—anyway, in this regulation, every existing pit bull would have to be leashed or muzzled when in public. The pit bull would also have to be neutered or spayed and municipalities would be able to prescribe additional requirements in their town bylaws to reflect their citizens' concerns.

As I mentioned, I listened carefully to the member from Niagara Centre when he was speaking about different issues, but I couldn't know exactly whether his position finally was with tough regulation in order to protect the people of this province. I didn't hear that. In general, he's against banning one breed, the pit bull.

When he mentioned the e-mail that everybody in the House received from Ms Pyke, I didn't mean to undermine her e-mail. I was mentioning that every one of us

got a lot, several e-mails for and against the pit bull. That's why this issue is a concern not just for us in this House but for all the people across the province. Some people take the position to support, to continue with the banning of pit bulls, and some people are against it.

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I was reading a couple of different e-mails and I was surprised. The majority of the e-mails I received happened to be from the United States. A few of them were from Ontario. To be honest, with my constituents of London-Fanshawe, when I held a town hall meeting with my federal counterpart, Pat O'Brien, to listen to the people of London-Fanshawe's concerns, only two people asked questions about pit bulls. I told them that I would, with full respect and honesty, reflect and send their message to the people who are in charge of this division in this area. Of course, they were against banning the pit bull breed.

On the other side, a lot of people came to my office and told me that they support the ban on pit bulls because they believe it's dangerous to the safety of people. And that's why the Attorney General came with a proposal, in a bill, to ban the pit bull. Also, with respect to all the people in the province, we're open to debate, to listen to all sides of the House on what's the best measure to take, the best way to ensure the safety of all the people in this province. We went further, by going to committee to listen to more stakeholders, for more people to have input on which way we have to take in order to make sure that we have a safe society, a safe environment.

As the honourable member for Willowdale mentioned a few seconds ago when he stood up and spoke about supporting the bill, we're not asking much. We are asking, in conjunction with the city, for so many rules and regulations to be enforced. If you have a pit bull and you walk in the park, you have to leash or muzzle it. When you take it in public, on the street, downtown, in public places, it has to be leashed and muzzled, because a lot of kids are walking around, a lot of elderly ladies and men are walking around, a lot of innocent people are walking around. It's happened to me. Many pit bulls attack, damage and hurt many people in our province.

I listened to many people, and sadly, the other side of the House, regardless of whatever we do, has to go against it, especially the member for Niagara Centre. Regardless of what we say, he's going to take the other side. I was surprised when the lady sent him e-mails and described him as a common sense man. I was surprised, honestly.

*Interjection.*

**Mr Ramal:** I guess being around you I'm going to be surprised a lot, listening to a lot of stories coming from you or from other people.

In the end, I'm looking forward to engaging in many debates about this issue. I have full confidence in our Attorney General and our government to take the right decision in order to ensure the safety of every person in this province. We also believe that we are going to take all measures, all avenues, to engage all the people, not

just in this House, but every person in this province, in order to create a measure, a bill, to ensure the safety of all people in this province. I respect, as I said, the government and the Attorney General in the way he's going to see—it's important to achieve the goal, which is the safety of people first.

**The Acting Speaker:** It's time for questions and comments.

**Mr John O'Toole (Durham):** It's my pleasure, because I too have heard from my riding on this issue, and repeatedly. Not to repeat the member from Niagara Falls, Mr Kormos made an impassioned speech; it was a fairly long speech, but it was nonetheless impassioned.

He cited many of the things I've heard in my riding as well. In fact, I met on, I believe, Thursday, no, it was Friday, because Thursday was Remembrance Day, and we shall never forget. I guess the key is that all of them are concerned about the ability to identify breed-specific criteria. Some of the evidence indicates there are a number of breeds that owners need to be cautious about.

Most of the comments I hear are these: The legislation is ill-prepared and ill-thought-out, and technically for the owner it's a reverse-onus condition, as the member from Barrie-Simcoe-Bradford mentioned relentlessly in his speech. I counted, and I think he mentioned it 10 times. This will be challenged in the Superior Court or the Supreme Court. The reverse-onus provision provides that the owner of the dog must prove, once the charge has been laid, that indeed their dog is not a pit bull, when in fact there is no breed-specific pit bull. It's my understanding that it's not a unique breed; it's somewhat of a hybrid, I guess.

I met with two constituents on Friday, both of whom are involved in dog grooming and are to some extent familiar with the breeding issues. They know, and they've said to me, that there are many breeds out there that are far more active or vicious than the pit bull.

So this legislation, at the very least, needs to go for public hearings. The very general statement would be that it's ill-conceived, that it's mainly a media response to a very important safety issue to the public.

**Mr Kormos:** Ms Martel is going to be speaking to this bill shortly. Look, this is about banning dogs, not just muzzling them. This is about eliminating breeds of dogs. It's about eliminating and banning pit bulls, Staffordshire bull terriers, American Staffordshire terriers, American pit bull terriers and any dog that may look like one or that somebody may believe looks like one.

I asked one of our staff to access one of these standardized Web sites where they profile various dog breeds so that people looking to buy a dog can anticipate what kind of dog they should get. She pulled the description for American Staffordshire terrier: "Happy, outgoing, stable and confident dog; gentle and loving towards people; good-natured, amusing, extremely loyal and affectionate family pet; good with children and adults; almost always obedient; friendly, trustworthy dog who is an especially good dog for children." That's the



American Staffordshire terrier—especially good for children. That's the dog the government wants to ban.

Here's the Chihuahua: "Strong-willed; very attached to their owners"—a Chihuahua—"even to the point of jealousy; suspicious of people, except for its owner; difficult to train; the breed may snap at teasing children; it is not recommended for children; be sure to socialize your Chihuahua as a pup to avoid excessive aggressiveness with other dogs; as well as reserved, they tend to be fairly dog-aggressive."

Now what is going on here? This is the problem when you start talking about these breeds and breed-specific banning and breed profiles. American Staffordshire terrier: good with kids—ban it. Chihuahua: snaps and takes bites at kids, keep it away from children—keep it alive and well in the province of Ontario. Good grief. This is how silly this particular proposition is. For the government members to be trained to be reading their scripts like the little seals they are, like the little lap dogs they are, saying, "Oh, this is just about muzzling pit bulls," is bull feathers of the highest degree. It is above any of them to buy into that type of incredible and disingenuous effort at rationalizing their position.

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**Mrs Liz Sandals (Guelph-Wellington):** There have been a number of comments here tonight about the banning of pit bulls. I'm sure the public thinks this legislation is only about the banning of pit bulls. In fact, this legislation applies to all dangerous dogs and significantly strengthens the penalties and powers around any dangerous dog.

Before this legislation was tabled, I had someone in my office who was complaining about a particular case where there had been a dog attack in Guelph. It had been through the courts. The dog had been found to be vicious. This constituent said to me, "You know, Liz, under the law of Ontario as it is currently constituted, nobody has the authority to seize that dangerous dog." This legislation fixes that so there is a power to seize any dog, regardless of breed, if it has been found to be dangerous.

While the member for Niagara Centre may be pooh-poohing this, let me tell you what the legislation actually says. The legislation says that there is the authority to seize a dog if the dog has on one or more occasions "bitten or attacked a person or domestic animal;" if the dog has on one or more occasions "behaved in a manner that poses a menace to the safety of persons or domestic animals;" if an owner of a dog has on one or more occasions failed to "exercise reasonable precautions to prevent the dog from,

"(i) biting or attacking a person or domestic animal, or

"(ii) behaving in a manner that poses a menace to the safety of persons or domestic animals."

That language applies to all dangerous dogs.

**Mr Frank Klees (Oak Ridges):** Welcome to Dalton McGuinty's Ontario. It's an Ontario where this government will tell our children what they can eat. It is a government that is going to tell us what kind of dogs we

can own. It is the new, emerging Ontario of this Liberal government. It's sad.

I have to say that to hear members of this government stand in their place and actually defend this bumper-sticker politics is disheartening. I would have expected more from the members opposite. I would have expected that members, at least of the backbench, would have stood in their place and said, "Yes, we clearly oppose dangerous dogs, and we will work with other members of the Legislature to ensure that this legislation is appropriately amended to deal with the real issue." The real issue is dangerous dogs. Let's all get together and ensure that's what happens, but not this bumper-sticker politics that this Attorney General decided to get in front of the TV cameras with and become the poster child of the day by banning pit bulls. Contrary to what the previous speaker said, Mr Speaker, you know that that is what this is all about. It is about banning a specific breed that even the Attorney General can't identify. Now, what is that all about?

What we have here is a piece of legislation that every member of the government should be ashamed of. I hope that, as we get this into committee, reason will prevail.

**The Acting Speaker:** The member from London-Fanshawe has two minutes to summarize.

**Mr Ramal:** I would like to thank all the members who commented in the whole debate tonight. The member from Oak Ridges, when he was talking about the government only banning pit bulls, was not correct. We are banning all vicious dogs and are trying to regulate and put a law in place to protect people from all vicious dogs.

As a matter of fact, tomorrow night at 7 o'clock the city of London is holding a meeting for all the people of London to come and give their input to try to find a regulation to deal with vicious dogs. Everybody is welcome, if you want to go and see. It is very important. I think the Attorney General, by introducing this bill, creates some dialogue in this province in order to put this issue on the table and deal with it.

For a long time we have not been dealing with this issue face to face. I believe, whether we ban one breed or try to create more regulations, it is very important to open the dialogue and continue doing it to create safety for all of the people in this province.

I am listening tonight to a lot of debate. I haven't made a decision yet as to whether I will go against or with this bill.

**Mr Dunlop:** You're going to go with it. Don't kid yourself.

**Mr Ramal:** Well, I believe we have no direction from our government to go with or against. We are listening here. We are creating our own directions. That's why we're engaging in this debate, to listen to you and to listen to others. Also, we read all the e-mails we receive from people. But we make a decision after all this discussion with and listening to the people of our ridings and the people of this province.

So I believe, in the end, our government is going to take the right direction in order to ensure the safety of



every person in this province, whether banning or creating some more tough regulations for the people who own pit bulls or vicious dogs or others.

**The Acting Speaker:** Further debate?

**Mr Dunlop:** It's a pleasure to rise this evening and speak on Bill 132. To begin with, I can't imagine, with as many government members as there are in the House tonight, why you only spoke on your first rotation for seven minutes.

**Mr Tascona:** Six.

**Mr Dunlop:** Six minutes. It's disappointing, if we're trying to have debate in this House, that the government tries to control debate by not allowing their members to speak to it. If it's so important to the members, so important to the people in London-Fanshawe and to the people around Ontario, I would think they'd want to speak for 20 minutes and do a complete rotation. We're prepared to speak. The NDP are prepared to speak. It's disappointing when we sit here and they speak for seven minutes when they have an opportunity to speak for 20 minutes.

Bill 132 is An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act. As I said in one of my two-minute hits a little bit earlier, I won't be supporting this bill in its present form, unlike the member from London-Fanshawe, who has not quite made up his mind whether he'll support the bill or not. But if the Attorney General is not prepared to give the member from London-Fanshawe a briefing, I can arrange for the critic for the Attorney General's position, Mr Tascona, to do it. He knows the bill inside out. I think if you listen to Mr Tascona, you'll be able to find out what the bill is about. It actually does ban pit bulls; it's not just about muzzling. So let's get that clear to begin with.

Our offices have been inundated with a number of e-mails from people across the province opposed to this legislation. If you talk to the average person on the street and they've heard something in the media about it, they'll say, "Yes, I'm against those pit bulls." If you've seen one picture of a child who has been bitten and had a severe bite or someone who has been severely injured or killed, obviously anyone would want to know that the government has a responsibility to do something, and I agree with something being done. There's nothing wrong. But remember, in my opinion, it's not a dog problem; it's a people problem. It's a person problem, and that's where the difference is right here. We're actually banning dogs in this particular case.

But the main fault that can be found in Bill 132 lies in the definition of "pit bull." While the four specific breeds that are listed provide a reasonable starting point, it will become very difficult to identify crossbreeds or other breeds that fall under clause (e) of the definition and those dogs that share a similar physical appearance to pit bulls.

My understanding is that the Attorney General was actually on CP24 the other night and couldn't identify a

pit bull. I just can't believe that. He didn't know what a pit bull looked like, and he had this legislation out. Come on. If you're the person who's going to ban these animals, don't you think you should at least know what they look like? If you're going to ban heifers or pigs or German shepherds, I think you should know what they look like. The Attorney General couldn't identify one. So I brought a picture along tonight, and I'll mark for the Attorney General—I'll stick it on his desk before I leave—what a pit bull actually looks like. I've got a picture here with golden Labs—you name it; they're all on here. And there is a pit bull; no question about it. There is one on here, and I will mark it for the Attorney General so that he'll know when he actually sees one on the street, or when he goes to a dog pound he'll know what a pit bull actually looks like.

There have been a lot of e-mails, and I've got to put a lot of these responses on the record in this House. I think it's important that some of these people be heard. I think it's important that this debate we're talking about here tonight—I've heard Mr Tascona, the critic for the Attorney General's position talk about three weeks of hearings. I have to agree with that, and I think all the members in this House will agree with that as well. If we're having thousands and thousands of e-mails, if we're getting responses from all over the province, I think it's only fair that we get a number of days of committee hearings, not just here in Toronto but let's go to Kitchener and find out all the pros and cons about Kitchener-Waterloo. Let's go to London, Windsor, North Bay, Thunder Bay and just see what people are actually saying in those communities about this legislation.

**2030**

We have to get to the details. We have to make sure that it's not just something people have seen on a TV screen or read in the Toronto Star or the Globe and Mail in an editorial. We have to make sure that they understand exactly what this means. That's what I think is important for the citizens here in Ontario.

The other thing is, I'd like the Attorney General or someone from the government to actually clearly identify all the special interest groups and stakeholders who agree with this legislation. Listening to the Attorney General, he would make it sound as though all these stakeholder organizations were in support of this legislation. I don't know who they really are. I thought he said the chiefs of police support it. My understanding is that there is no official position from the Ontario Association of Chiefs of Police on this legislation. I'd like to know what organizations will be policing the legislation and enforcing it. I'd like to know.

**Mr Jeff Leal (Peterborough):** Chief Fantino.

**Mr Dunlop:** I just heard someone yell, "Chief Fantino," from the back. Possibly Mr Fantino agrees with the legislation, but he doesn't represent all the chiefs of police. He represents one chief. He's the chief of police for one municipality. Of course, you're doing everything you can to get him out of there.



That's what I want: It should be understood in this House from the Attorney General what organizations actually support this legislation, and we haven't seen that yet. We certainly haven't seen it to this point. But there are a few people who don't agree with Mr Bryant, and I'd like to read from some of them.

I think the member from Niagara Centre did a great job earlier. He read a few e-mails. I'm going to add a lot more, and I know that many members on this side of the House would like this debate to go on for weeks, because they see a lot of reasons for making sure that we go ahead and get full debate and full committee hearings.

Here's a nice letter:

"Dear Mr Bryant,

"I just wanted to personally thank you for looking so ignorant and uninformed on CityTV last night. Until that point, I was heartbroken and convinced that the pit bull legislation would be passed. But after watching and listening to you make a fool of yourself, I now have renewed hope that after watching you in action on this topic, the remaining members of Parliament will do some homework rather than rely on the"—well, I won't say what that is, but it's a four-letter word and it sounds like fries—"that you have told them.

*Interjections.*

**Mr Dunlop:** OK, it sounds like fries.

"It was wonderful watching you squirm when confronted about your"—and again, it's that same four-letter word that sounds like "French fries"—"regarding Winnipeg and Kitchener. I truly loved your defence"—this is great; it's unbelievable—"Well, the animal control officer who we spoke with in Winnipeg...."

That was an absolute classic. The fact that your opposition, meaning every expert in this field, actually uses real statistics and that you rely on one animal control officer's opinion says a lot about this legislation and about the job you are doing in general.

"Can you find the pit bull, Mr Bryant?" That was another classic. Keep it up, please. I think I've already told you that I found the pit bull in the picture for him, and I will send that over to the Attorney General so he'll know in the future what a pit bull terrier actually looks like. That would be nice, providing he's passing this legislation.

"Again, thank you, Mr Bryant, for not doing any meaningful and quantifiable research on this topic, and thank you for not even knowing what a pit bull looks like, let alone the true nature of this wonderful breed. It certainly helps those who are truly knowledgeable on this topic fight your insane proposal."

That's not signed by my riding association president; it's signed by someone I've never heard of in my life. The gentleman's name is Mr Darren McKay.

That's a standard e-mail that's coming in. That's what we're getting day in and day out here. Here's the pile I've got. I can read through them all if you want. Mr Kormos has another 800 or 900 from different individuals.

I think the bottom line here is that they have to listen to these people. They're citizens of the province of Ontario. This isn't somebody from the Far East or England or Europe or something. These are people in North America, in Toronto and Ontario and Quebec—you name it.

But there are some other comments I want to add here too, because there is a lot to add. This is a distribution:

"Liberals Proposing Ineffective Legislation That Will Cost Municipalities Millions of Dollars. Liberals are manipulating facts and public trust.

"In an effort to deflect Ontarians' focus from rising taxes and broken election promises, Attorney General Michael Bryant and the McGuinty Liberals have launched a sensationalized campaign to ban pit bulls that is undemocratic, will cost municipalities millions of dollars to enforce and will not solve the dangerous dog situation in Ontario.

"Breed-specific legislation stomps on the rights of Ontarians under the Canadian Charter of Rights and Freedoms."

*Interjection.*

**Mr Dunlop:** I hear someone talking about John Tory. I got an e-mail the other day about Dalton McGuinty's family actually having a pit bull terrier named Tory McGuinty. Dalton McGuinty's family had a dog named Tory McGuinty.

*Interjection.*

**Mr Dunlop:** Well, I hear you talking about John Tory over here. I just thought I'd add the fact that Dalton McGuinty's family had a dog named Tory McGuinty and he's a pit bull terrier. Obviously, he likes pit bull terriers and he likes Tories. Search that out, because it's a fact. It is a fact: Tory McGuinty. He signed, actually put his paws on, a petition.

*Interjections.*

**Mr Dunlop:** Mr Speaker, could we get some quiet in here? I can't speak very clearly with all this noise around me.

**The Acting Speaker:** Order.

**Mr Dunlop:** Another quote here: "Up to this point in time, Mr Bryant has made a deliberate choice to consult with individuals and organizations that support his biased agenda. He has presented incorrect and sensational information to the media and public," said Julie King, political action chair of the Staffordshire Bull Terrier Club of Canada. "He has excluded important stakeholders from the democratic process, including the Ontario Veterinary Medical Association, and has not allowed open public hearings."

"There is no statistical data that supports that Ontarians want pit bulls banned. The government of Ontario has not commissioned a survey that supports their claim that a majority of Ontarians want breed-specific legislation, nor have they held a referendum to vote on the matter. A tally of feedback in the Toronto Star's Speak Out forum shows that 70% of voters oppose the proposed ban."

It goes on to say, "According to a recent poll taken by Citytv on October 15, 54% of participating Ontarians disapprove of the pit bull ban. Additionally, approximately 5,500 people have signed the Toronto Humane Society's petition to stop the pit bull ban. This is 1,500 more people than Mr Bryant required to table the proposed pit bull legislation."

"Crippling Economic Costs of Breed-Specific Legislation"—that's the next topic. "The McGuinty Liberals have not thoroughly investigated the crippling economic cost of breed-specific legislation. Fines levied will not pay to enforce the legislation. Municipalities across Ontario will have to find alternative means to pay for this legislation."

"Based on cost estimates for Prince George, Maryland, Ontario's municipalities should expect the new legislation to cost millions. In Prince George, population 800,000, expenses after revenues were deducted were \$524,509 for 2001-02. With a population of 12 million, the cost in Ontario would equate to \$7.8 million. Given the rural nature of many of Ontario's communities, it is reasonable to assume that the cost would be higher still. This is a burden that municipalities cannot afford under the current tax structure."

What's interesting about the \$7.8 million is that it's a third of the amount of money Dalton McGuinty has promised to add 1,000 new police officers in the province. He's promised \$30 million over the next three years when in fact it's going to cost \$200 million. So most of the police officers we will be hiring, when we pass this legislation, will be out looking for pit bulls.

Another quote I wanted to add: "'One cannot help but draw parallels to the federal Liberals' gun registry legislation.'" Now, I don't want to get too far into this, because Mr Kormos has already covered this. "'The initial estimate for the cost of that program was \$2 million. To date, the gun registry has cost Canadian taxpayers over \$2 billion dollars and the costs continue to rise,' said Julie King."

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"Breed-specific Legislation a Band-aid Solution."

"Breed-specific legislation does not stop dangerous dog bites. In the four years immediately following the pit bull ban in Winnipeg, pit bull bites dropped to one or two incidents per year but the overall number of dog bites increased." They increased. "This also happened in England after breed-specific legislation was introduced."

"The Ontario Veterinary Medical Association does not advocate legislation naming specific breeds of dogs as vicious. The OVMA encourages and supports reasonable genetic selection, rearing and training of dogs to control aggression. The Toronto Humane Society also believes that breed bans are not the answer to dog bites and aggressive behaviour. Additionally, the National Companion Animal Coalition, which counts among its members the Canadian Ministry of Agriculture, has published a statement presenting a similarly dim view of breed-specific bans."

They go on to say, "'As long as irresponsible breeders and owners encourage hostile activity, the problem will not be resolved. If pit bulls are banned, the wrong people will simply train dogs of another breed to be aggressive. The problem of dog attacks and dangerous dogs is best dealt with through a comprehensive program of education, training and legislation encouraging responsible ownership of all breeds,' said Julie King, the political action chair of the Staffordshire Bull Terrier Club of Canada."

The Bryant statistics are actually distorted: "Attorney General Michael Bryant and the McGuinty Liberals' proposed breed-specific legislation is fundamentally dishonest because it is based on fear, popular prejudice and inaccurate, obscure statistics."

"On October 15, Mr Bryant, quoting US statistics, stated, 'Pit bulls represent just 1% of the US dog population but they accounted for between 48% and 56% of serious dog attacks.' According to researchers at the Atlanta-based Centers for Disease Control, who have done the most work on dog bites, it is impossible to determine which breeds of dog are the most dangerous because no one knows how many dogs of each type there are. Official dog licence data can't be used because many dog owners don't register their dogs. Do pit bulls represent just 1% of the US dog population? The truth is, no one knows."

"On October 15, Mr Bryant was quoted as saying 'pit bulls account for between 48% and 56% of serious dog bites in the US.' According to Mr Bryant's staff, he got this statistic from an obscure Washington state publication called Animal People, which reported from its own non-statistically representative 'original investigative coverage' that of 59 vicious repeat offender dogs it found, 28 (48%) were pit bulls. A more accurate, scientific statistic is from the CDC, which reported in 1996 that out of 199 dog bite fatalities recorded in the US over a 17-year period, pit bulls accounted for 60, or a little less than 30% of the bites. The same data indicates that pit-bull-related fatalities have steadily declined over the past 15 years, while Rottweiler-related fatalities have steadily increased over the same period."

I could go on and on with the number of e-mails and letters we've got. But the bottom line is that we're talking about a number of people who have had severe bites and there's no question that the government has a responsibility to move forward with something. I simply believe it's an owner control issue and that owners have to be penalized."

But you know what? In Simcoe county and York region, we have 23,000 children right now who do not have the services that the rest of the province of Ontario has. They need a children's treatment centre in York region and Simcoe county. It would help 23,000 young people. I'm saying to the government, instead of worrying about pit bull terriers, let's deal with some priorities in this province. I'm asking for the people in Simcoe York and I'm asking—



**Hon James J. Bradley (Minister of Tourism and Recreation):** Where was that funding when you were in power?

**Mr Dunlop:** I just heard the comment. We approved the funding, and now it's been delayed. And do you know what? The finance minister's office will not return calls on this issue. He's an MPP from York region. He should be ashamed of himself, because it's his constituents who are suffering.

I want you to know that on November 22, next Monday morning, at 10:30 in my office in Orillia, we're having a rally to support these 23,000 young people who need these rehabilitation services. That's the type of priority the government should be dealing with. I don't know if you need to put a new football field in for the Argonauts. I think we should spend the \$8 million on the 23,000 young people who need these services in Simcoe county. That's the type of priority the government should be dealing with.

I know the intent was simple: The government wanted to divert attention from this disastrous budget, this disastrous health care tax, and they thought this would be a sexy way of doing it, with this pit bull terrier legislation. I don't think they ever thought there would be the kind of negative feedback there is.

I encourage the government—you are hearing a lot of comments here tonight. You will hear almost all of our colleagues in the official opposition and in the third party and I think you'll see that they will continue on. They'll want to do a lot of debate, but the key thing is the public hearings. My colleague the critic for the Attorney General and the minister responsible for native affairs has indicated that we need three weeks of public hearings. The House leader is here tonight, and I am sure he would agree with that, after hearing the comments.

With that, I'm going to close. I know that other people want to speak here tonight. There is probably still time for five Liberals to speak. We still have 45 minutes, so they can all put five minutes in. I thank you for this opportunity.

**The Acting Speaker:** It's time for questions and comments.

**Mr Kormos:** It's time for facts, instead of the typical Liberal fiction. Section 6 of the bill:

"Except as permitted by this act or the regulations, no person shall,

"(a) own a pit bull; ...

"(f) import a pit bull into Ontario."

What is a pit bull, according to the Liberals? Well, it is a pit bull, and nobody knows what is pit bull is, because it's not a formal, proper name of a dog. But it's also a Staffordshire bull terrier, an American Staffordshire terrier and an American pit bull terrier. Well, Staffordshire bull terriers are some of the most highly regarded dogs that have ever been bred. On this Wednesday, November 17, right here at Queen's Park at 12:30, the Super Dogs are coming to the south lawn for a press conference and to allow anybody who wants to, to meet some of Canada's premiere dogs, Super Dogs—some of

Canada's most titled Staffordshire bull terriers and Super Dogs. These Super Dogs, these Staffordshire bull terriers, make Rin Tin Tin look lame. These Super Dogs, these Staffordshire bull terriers, make Lassie look like a dog, compared to how they're going to impress you.

**Mr Tascona:** Lassie is a dog.

**Mr Kormos:** Lassie is a dog; quite right. Mr Tascona mentions that Lassie is a dog. That's very good, Mr Tascona. How old are you now? Mr Tascona realized Lassie is a dog, not a person. Very good. Staffordshire bull terriers, here at Queen's Park on Wednesday, November 17, at 12:30, a press conference and a Super Dog show that's going to impress the daylights out of anybody who attends. Look, you'll have a chance to look at these vicious dogs that this breed-specific ban proposes.

If the government can demonstrate, based on the evidence that's available, that the breed-specific ban is the way to legitimately address dog bites in the province, then so be it; let's do it. However, the evidence that's indicated to date shows no support whatsoever for breed-specific bans, as compared to broader vicious dog legislation and controls of dogs and owners.

**Mr Milloy:** I think what is being forgotten in the debate tonight by my friends from the opposition side is that this is a bill about public safety. What is being forgotten tonight are the victims of dog attacks, people who have suffered due to vicious pit bulls. I met a man during constituency week who told me about working in his yard one afternoon and a pit bull that was next door jumped over the fence without provocation and attacked him. The simple fact is that pit bulls have an aggressive tendency which needs to be dealt with.

At the same time, there are other issues surrounding vicious dogs. I take issue with the member from Simcoe North and my friend from the Niagara Falls area who say that this bill does not address it. I'd like to quote from the bill and go to section 15:

"(1) A peace officer may seize a dog in a public place if the officer believes on reasonable grounds that,

"(a) the dog has on one or more occasions bitten or attacked a person or domestic animal;

"(b) the dog has on one or more occasions behaved in a manner that poses a menace to the safety of persons or domestic animals;

"(c) an owner of the dog has on one or more occasions failed to exercise reasonable precautions to prevent the dog from,

"(i) biting or attacking a person or domestic animal."

Yes, this bill deals with pit bulls, but this is not solely about pit bulls. It's addressing the sorts of concerns that the member from Simcoe North repeatedly said need to be addressed by this government, that is, aggressive and vicious dogs that are not being properly controlled in public.

The second thing it's about, and I spoke about that in my last two minutes, is this patchwork of municipalities who have passed various bans throughout the province. They are looking to this government for leadership, and

this government is showing the type of leadership that's needed to bring safety to the streets of Ontario.

**2050**

**Mr Tascona:** I am pleased to join in the debate. I know the member from Oak Ridges is eager to join in the debate too.

I just want to say that here we are debating pit bulls, and in my riding we have people who have to come to Toronto every day for cancer treatment. We don't have a cancer treatment area in Newmarket or in Barrie-Simcoe-Bradford. We don't have that. A children's treatment centre doesn't exist in our area. Every other area in the province has a children's treatment centre. And here we are debating pit bulls.

The Attorney General has misled the public. I've talked to people in his own riding about what's going on here. They think he's fundamentally changing the law with respect to dangerous dogs. He is not doing anything in terms of changing the laws with respect to dangerous dogs—not one thing. The law is already in place to be enforced by municipalities. So he's misleading his own constituents that he's doing something about dangerous dogs in this province. All he's talking about is banning pit bulls.

I can tell you, the problem we have to deal with here—you heard it from the member from Niagra Centre and we've heard it throughout tonight—is that dangerous dogs per se are the issue and we have to bring forth legislation to deal with that. That's why there's resistance on the opposition side. They know the Attorney General is misleading the issue. They're telling the public that it is something to do with dangerous dogs, that he's changing the laws. He's not doing anything, because the municipalities have the power to deal with dangerous dogs and they are dealing with them. But the Attorney General is doing nothing about changing the law to fundamentally address dangerous dogs and protect the public. When we get through with this legislation, nothing will have changed, because the Attorney General misled the public.

**Ms Martel:** In response to the comments that were made by the member, one of the last points he made was to focus on the public hearings. Of course, I believe it is essential that the government agree to full and open public hearings on this particular issue. I think it would be very important that through that process those people the Attorney General said he heard from during the course of putting this legislation together come forward and give their reasons and rationale for the information they provided to the Attorney General. It's my hope that through the process, some of those people who, we understand, have not been able to talk to the Attorney General, who have made repeated requests to the Attorney General for some kind of consultation, would also be afforded the opportunity to come forward and make their case as well.

You see, my concern has been throughout the course of the discussion by the Attorney General around this issue, a discussion that has gone on all fall now, is, what

is the basis of the information he has presented? Where is the statistical data? Where is the information from other provinces or jurisdictions that have moved in this area? What does their data show? What has a ban accomplished or achieved? And frankly, from the other side, if there hasn't been an achievement by a ban, let's have that out as well. Realistically, we have heard from only one side in this debate, which I think does a disservice to all Ontarians who want to be sure they are safe from all dog attacks. That's what Ontarians want. That's what they want the government to deal with.

I don't know if we're going to get there with this legislation. That's why I think it is imperative that there be full public hearings, so everybody can have their say and so we can do the right thing, which is to achieve public safety in this regard.

**The Acting Speaker:** The member from Simcoe North has two minutes to wrap up.

**Mr Dunlop:** I want to thank the members for Niagara Centre, Kitchener Centre, Barrie-Simcoe-Bradford and Nickel Belt for their comments on the few words I mentioned. And the member from Oak Ridges wanted to say something as well.

But what's important here—there are two things that come to mind immediately. One is that there is a lot of opposition from a lot of very special stakeholder organizations that have a lot of interest in this legislation. We know now, and I think it's really clear that unless there's—

**Interjection:** Six weeks of hearings.

**Mr Dunlop:** A substantial number. I don't know whether it's one week, two weeks or six weeks, but I do think we need a lot of debate on this, and we'll probably have to travel over the winter months to work with it.

What's important, in my opinion, is that, yes, any accident is one accident too many, but there are so many priorities that this government should be dealing with. My friend from Barrie-Simcoe-Bradford, my colleague, mentioned just a few minutes ago about the cancer care unit in Barrie. We had a meeting the other morning. With the amount of growth in Barrie and the potential greenbelt legislation leapfrogging more growth into our region, we have an immediate demand for this cancer care unit, and we're out there fighting every day on this for this government to come up with some funding.

**Interjection.**

**Mr Dunlop:** I heard my colleague behind me, from Bruce-Grey-Owen Sound, talking about the BSE. When is that going to be corrected? The Canadian case in Alberta—no, the Washington case—happened almost a year ago. We keep hearing these promises, but all we get are these action plans and advisory panels saying nothing.

So a high priority is not the pit bull legislation. It's things like a children's treatment centre in York region and Simcoe.

**The Acting Speaker:** Further debate?

**Ms Martel:** I'm pleased to have the opportunity to participate in the debate this evening. Let me begin by



saying that I recognize this is a very controversial issue. I recognize it's a very emotional issue. I recognize as well that, for anyone who has been the victim of a pit bull bite or pit bull attack, it's a critical issue. But I also have to think that for anyone who has had a child bitten or attacked by any breed of dog, it's probably a critical issue for those folks as well. So what I hope, as we deal with this legislation and as we talk about victims, is that we're not just talking about victims of pit bull attacks but about victims of serious dog attacks of all kinds. I hope what motivates people, as this legislation continues through the process of second reading debate and committee hearings and amendments and third reading, is a real desire to deal with victims generally of dangerous and vicious dogs. That's what we need to do, that's what I think we have an obligation to do, and I hope the legislation, at the end of the day, reflects our trying to do that.

The legislation before us, as I understand it, comes from a particularly vicious, very high-profile and publicized attack by a pit bull that occurred earlier in August. I remember seeing that on television, and I remember that the next day, the Attorney General was saying very clearly that he was going to look at banning pit bulls. The immediate reaction from what you saw on television is that you would have to say to yourself, "Something should be done. We can't put up with this any more. If a ban on pit bulls is the way to get at protecting public safety, well, what's wrong with that?" That was my immediate reaction as I looked at it. You saw the consequences, which were very dramatic for that victim, very frightening—God knows what I would have felt like in their shoes—and you say to yourself, "We need to do something. If the AG is right that the way to do that is to ban pit bulls, then let's go to it and let's do it as soon as we can."

My opinion changed, in terms of having a broader perspective, probably eight to nine weeks ago. It changed because I was here in Toronto watching the news, and I heard a report of a couple from Sudbury who just that day had to drive their child from Sudbury to Sick Children's Hospital as a result of a dog attack in Sudbury. They had to come to Sick Kids to seek medical care here in Toronto. And that child was not attacked by a pit bull; that child was attacked by a German shepherd. That's when I started to think that we need to think beyond pit bulls and the impact on victims—and I know there's an impact—and start to seriously consider victims who have been attacked, aggressively attacked, by all dangerous dogs. It was because of that incident, understanding that a family from Sudbury had to come here to Sick Kids to seek medical attention because of an attack by a German shepherd.

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So I think that's where I start from tonight: my immediate reaction, which had been, "Ban pit bulls, ban them now, ban them fast, get it done and that's going to protect public safety," to a view now that says, "It's not only pit bulls, it's not just pit bulls." If I look at the

evidence of dog bites from my community, for example, pit bulls don't even figure into the equation in terms of dog bites—and I'll get to that—that have been statistically put together by the Sudbury district health unit. I hope what we are doing is actually crafting legislation that responds to victims of vicious dog attacks.

I am very concerned about some of the comments that have been made by the Attorney General. That's one of the reasons why I think we need public hearings. I'm very concerned because, if you follow what he has been saying, and I have tried to, he can be very contradictory when he deals with this issue, and I'm not sure where he's getting some of his information. I would hope he's getting the best information out there; I'm just not sure that he is and, if he is, he's certainly not relating it to the public.

I had a chance to read the transcript of the Attorney General's interview on Focus Ontario. It was taped Wednesday, October 27, and it aired on Saturday, October 30. I took a look through it, and I want to raise some of the concerns that I have with respect to what the Attorney General said about the legislation we're dealing with. A couple of concerns. First of all, he said to the host, Bill Carroll, "Well, we consulted widely, heard all—

**Hon Mr Bradley:** There's an impartial guy.

**Ms Martel:** No, I'm commenting on what the Attorney General said. I say this to Mr Bradley: I want you to listen to what the Attorney General said, OK?

**Hon Mr Bradley:** Bill Carroll is really impartial.

**Ms Martel:** I'm not even going to talk about Bill Carroll. I'm talking about what the Attorney General said, OK? Here's the Attorney General: "Well, we consulted widely, heard all arguments, and once a decision was made that these were inherent, dangerous dogs, I felt it was incumbent upon our government to move quickly."

All right: "We consulted widely and heard all the arguments." Well, here's a list of what I would consider to be credible, reasonable, rational organizations who I would assume have some expertise with respect to dangerous dogs and what we should do to deal with them. Here's what some of them said, for the record.

The Ontario Society for the Prevention of Cruelty to Animals is opposed to the ban and has been calling for a national or provincial dog-bite registry for years. Their concern: This legislation doesn't address breeding for aggression, training for fighting or other issues related to responsible ownership. Further, this bill is not statistically supported. That's their view.

The second group, the Ontario Veterinary Medical Association, a group that has some expertise in dealing with not just dogs but animals of all kinds: opposed to the ban out of concern for animal welfare; a big problem is lack of education; owners and the public don't know how to behave around dogs or read dogs' body language; breed bans won't help, education and non-breed-specific dangerous dog legislation to promote responsible ownership will; frustrated at the lack of opportunity for input on this issue; has asked the Attorney General four



times, three in writing, for a list of experts he has consulted, and the list has not yet been received.

The next group, the Canadian Kennel Club: opposed to the ban for legal reasons; does not believe that Ontario has the right or capacity to define a pit bull or that the courts or police officers may decide if a dog is a pit bull; Only an organization registered under the Animal Pedigree Act may define or certify dogs of any breed.

Toronto Humane Society: opposed to the ban out of concern for animal welfare; concerned with the overbreadth of the definition of pit bulls, the possible overbreadth to take action against "menacing" dogs; concerned that Bill 132 deliberately excludes humane societies; pit bulls may be surrendered to a city pound, not a humane society; frustrated at the lack of opportunity to consult with Mr Bryant; hopes to make a committee submission—and we hope they will get a chance to do that.

Canadian Federation of Humane Societies: opposed to the ban out of concern for animal welfare; wants a national dog bite registry; even the cities that banned breeds didn't base their decisions on data, because none existed, and didn't usually collect data afterward either; supports the spay/neuter requirement, general dangerous dog legislation and anything that increases owner responsibility.

Finally, the Canada Safety Council: opposed to the breed ban for public safety reasons; breed bans should not be used as a quick fix; the solution lies in a combination of effective animal control measures, reputable breeders, responsible owners, public education, backed up with enforcement and based on reliable data.

Those are some of the folks who have an opinion as well. It doesn't sound like some of those folks had much of an opportunity to consult with the Attorney General and give their reasons and their rationale and their concerns before the legislation was drafted. I trust that there are going to be some public hearings so that those folks can have their say and can have their concerns raised.

What else did the Attorney General say? He said, "We consulted widely, heard all the arguments. I really felt it was incumbent upon our government to move quickly, because every month that goes by that we don't have this ban in place is a month where Ontarians are at risk." That would make it sound like as soon as the legislation is passed, the risk from pit bulls is over. And it's interesting that if you read the legislation, it's very clear that current owners of pit bulls are grandfathered; that is, their pit bulls, unless they are involved in an attack, are not going to be put down, are not going to be euthanized.

So the likelihood is—and I don't know what the lifespan of pit bulls is. Let's just say that any number of pit bulls out there continue to live five, six, seven, eight years in our communities. I'm sorry, but it's really hard for the Attorney General on this show, to tell people that we need to move on pit bulls and we're going to get rid of this risk because every month that they do not is a risk to public safety, and then have a bill before us that essentially allows current owners to continue to have

their dogs until they die of natural causes. Is he really concerned about public safety, or is this a way to try to get around it and convince the public that he's doing something about public safety, and maybe he's not? It's clear the legislation is quite a bit different than what the Attorney General had to say, and I think that needs to be dealt with in public hearings.

What else did he say? "Not a week goes by, it seems, in Ontario that we don't have an incident, and I certainly have become convinced, based on the thousands of unreported incidents involving pit bulls against other pets and people." Well, if they're unreported, how can he truly make any legitimate comment about the thousands of incidents there might be out there? He said very specifically, "Not a week goes by, it seems, in Ontario that we don't have an incident"—that may be true—"and I certainly have become convinced, based on the thousands of unreported incidents"—and he goes on to say why we need to do something.

That's not a very good way to draft legislation. There's not a lot of fact there to support what he wants to say. Look, if there are thousands of incidents, let's have that information come forward from the health units across the province. I know my health unit does track the incidence of dog bites, not just pit bulls but every breed. They have to do that based on family members coming forward and reporting. As I understand it, in most municipalities there's not an obligation to report that. There probably should be. Let's find out what the incidents truly are, not just of pit bull bites but of bites of all breeds of dogs in our communities, and all bites. Then we would be in a good position, I think, based on some statistical information, to make decisions about what we need to do. But to go on the basis of thousands of unreported incidents, which makes no sense at all, and to be drafting legislation around that is just not the correct thing to do. I hope that at committee we will be able to get some concrete information about bites and breeds involved from across the province so we can make some intelligent decisions about what to do next.

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What else did the Attorney General say? He talked about Winnipeg. He said, "They regulated pit bulls going forward, which is what we will do in the definition. Well, everybody knows a pit bull. If you buy a dog, you know what kind of dog it is in almost all cases. If you bought a pit bull, you know you've got a pit bull. If there was a pit bull in the studio right now, you and I would know it's a pit bull. If it walks and barks and bites like a pit bull, it is a pit bull." I say to the Attorney General, who couldn't identify a pit bull in some photos, man, don't go down that road.

I am not ashamed to say that I don't think I know what a pit bull is. If there were one on the floor of the Legislature right now, could I positively identify that animal as a pit bull? Probably I couldn't, and I'm not ashamed to say that I probably couldn't. We really need, I think, to be a lot more clear than the Attorney General is about



what breed a pit bull is. I have heard some people say to me, it's up to 25 different ones.

The breeds the Attorney General wants to ban, and those are listed in the legislation, include, for example, a pit bull terrier, a Staffordshire bull terrier, an American Staffordshire terrier, an American pit bull terrier. Are those the ones out of the broader breed of pit bull that are the ones we need to be most concerned about?

I heard my colleague from Niagara Centre give a profile of the American Staffordshire terrier earlier. If I recall, the definition of that one was that it was very friendly, very good for families. A chihuahua was one that you wanted to be careful about, that wasn't good for families, that wasn't good in terms of the presence of other dogs.

No, I wouldn't know a pit bull if it was on the floor of the Legislature. I don't think the Attorney General would either. We've had some acknowledgement of that. When you start down the road of trying to say that everybody knows what a pit bull is and that's why we need to ban them, I think we've got some problems with that, not only with the definition but where we're heading in terms of trying to use a breed-specific definition to deal with this problem.

What else did he say? He talked about Winnipeg and said that Winnipeg has a definition that permitted the city to identify, and that as a result of that, the number of dog attacks overall went down so that it's not like the pit bull attacks were replaced by Doberman attacks or something like that.

We've got a bit of information about Winnipeg, which I think we should consider. It says the following: "In 1989, the year before Winnipeg implemented a pit bull ban, dog-biting incidents were as follows: 61 by German shepherd crossbreeds, 34 by German shepherds, 28 by pit bull types, 18 by collie crossbreeds, 11 by Dobermans. Since the ban, pit bull bites have dropped dramatically." I guess so; since 1989 there are probably not very many pit bulls left. "However, Rottweiler bites have increased from one in 1989 to 19 in 1996, 21 in 2001, and 22 in 2002. German shepherd crossbreed bites dropped slightly, then increased to 68 in 1997 and continued to fluctuate."

So the German shepherd bites—61 in 1989, up to 68 in 1997 and continuing to grow. The Rottweilers have grown tremendously. So in fact it isn't true to say that in Winnipeg, once the ban on pit bulls was in effect, no other breed stepped into the void in terms of bites by dangerous dogs. That's not true. In fact, other breeds are right up there, probably causing a significant concern for public safety in the same way that pit bulls ever did in Winnipeg.

We really need to have some much clearer statistical information, legitimate statistical information that looks at where other bans were tried and what the results were, because Winnipeg wasn't the only concern I had. If you look at Edmonton, we've got some statistics for 2000 and 2001, and you can see clearly that pit bulls, frankly, in the general scheme of things, were not a problem. In

2000, in Edmonton: 43 dog attacks by German shepherds, 22 by Rottweilers, 15 by Labs and four by pit bulls. Or, in 2001: 46 attacks by German shepherds, 39 by Rottweilers, 22 by Labs, 11 by collies, 10 by huskies and seven by pit bulls. It's hard to say the ban has solved the problem of dangerous dogs; what it looks like is that it just moved to other breeds and that dog bites and dog attacks are as prevalent as ever, now just involving other breeds. I'm not sure how we can say we've done anything with respect to public safety when those are the kinds of numbers we're looking at. We have a listing of a number of other communities with the same kind of result. That's why I hope there will be public hearings so these kinds of facts can come out.

One final thing: I talked to you about a number of things that the Attorney General has said, and I've got a lot of concerns with those. I've got a lot of concerns with respect to some groups who have tried to have their say, tried to have some input, and it seems they haven't been able to do that. I think their opinion and their expertise, frankly, given what they deal with in their professions, would be of great value for the committee.

As I said earlier, if I look at Sudbury, just some of the statistics in our communities, at the end of September we had 117 reported dog bites in the city. Of that number, six were pit bulls. So we've got a lot of dog bites and a lot of problems in our communities, and it's not really related to pit bulls. If we're going to deal with this in a rational way, if we're going to deal with public safety, we'd better get this bill to committee. We'd better get the groups forward and get some good statistical information before we decide what we're going to do.

#### **The Acting Speaker:** Questions and comments?

**Mr Zimmer:** Notwithstanding everything we've heard tonight, the fact of the matter is that this legislation enjoys broad non-partisan support among community leaders throughout Ontario, and it enjoys broad editorial support.

Roger Anderson, president of the Association of Municipalities of Ontario: "AMO appreciated an opportunity to advise the minister on how to implement the province's pit bull ban in a manner that is practical, effective and affordable for Ontario municipalities," and look forward to working with the minister in this regard.

Chief Julian Fantino, Toronto Police Service: "The legislation the Attorney General is proposing makes our playgrounds, sidewalks and neighbourhoods safer ... It is clearly in the best interest of public safety and it will help to protect our officers," and citizens, who face vicious attacks from these animals.

Mayor David Miller of the city of Toronto: "I support the province's swift action. This problem is not exclusive to any single municipality, it is a province-wide issue," and it's the best solution for a province-wide strategy.

Mayor Carl Zehr: "Every Ontarian in every city across Ontario deserves the same level of safety that we have in Kitchener. That's what this legislation would do."

There's editorial support. The Toronto Sun says, "It's taken much too long to happen, but Attorney General

Michael Bryant is doing the right thing to ban pit bull dogs in Ontario."

The Globe and Mail: "Yes, implementing the ban will be difficult. Public safety is worth the effort. It's a move long overdue."

London Free Press: "Attorney General Michael Bryant's strong stand in announcing legislation ... shows courage and resolve."

The Toronto Star: "Whatever the decisive factor or factors, the days of pit bulls in this province and in this city's streets and neighbourhoods are numbered. Hallelujah! Amen. And good riddance."

The Peterborough Examiner: "Attorney General Michael Bryant's announcement yesterday that legislation banning pit bulls will be introduced this fall shows that at least one level of government is serious about protecting the public."

The Hamilton Spectator—

**The Acting Speaker:** Thank you.

**Mr Zimmer:** —the Brampton Guardian, and the list goes on.

**The Acting Speaker:** Thank you.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I am certainly pleased to make a few comments on this bill that the Liberals want to bring in and seem to want us to debate here. It is now quarter after 9, and we're in here tonight debating a bill on pit bulls. We have problems out there with our health system, our hospitals are begging for money, and you guys are in here worrying about pit bulls. Our farming communities are having difficulty, and you bring in a bill talking about pit bulls.

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One thing I want to tell you is, I hope you listened to the member from Sudbury, one of the veterans of this place and she knows what she's talking about. She has some good information for you people, if you listen. The trouble is, you're not listening. Here we are again tonight—I find it difficult. How did this bill even get past cabinet to get in here? Such a simple thing, and you want us to sit in here and debate, with all the problems we have out there today. You guys keep complaining that you can't get your bills through, and we are sitting in here debating about pit bulls. You'll be doing chihuahuas next, because somebody in your caucus will get bitten by a chihuahua and then you'll be upset.

I understand that for anybody who's been attacked by a dog it's traumatic. We understand that over here, but you can't just go around and start to ban them every time somebody gets bitten. It just won't work, guys.

You've got it this far. It's unfortunate that you even got it this far, that you got it through your cabinet, when we have other important things to look at. Now you are going to have to take it out and go to committee, because you obviously didn't connect to the people in Ontario.

We heard one gentleman over here read about a lot of support. I don't know where he's getting that support, because I don't hear that support out there for this. So you're going to now have to take this to a committee and

take up committee time debating this. What you need to do is just withdraw this bill.

**Mr Kormos:** We all listened carefully to the member from Nickel Belt, Shelley Martel, and her comments on this bill. Her analysis of the bill is, quite frankly, bang on. New Democrats are making it very, very clear that this type of issue calls out for a serious and thorough examination of the evidence and the data, not the knee-jerk, hysterical reaction on the part of the Attorney General with all the fanfare and the spin-doctoring and the scripting by the backroom boys and girls.

This legislation has got to respond to the need to ensure, or at least improve to the maximum level possible, public safety. I say to you that the experts who have been revealed to us so far are unanimous in saying that breed-specific bans don't work, that they create a false sense of security; in fact, you create a more dangerous scenario because of that false sense of security. The experience in jurisdictions where breed-specific bans have been implemented appears to confirm and reinforce what the experts tell us.

This government obviously has no interest in the facts. This government obviously has no interest in the data. This government and its members obviously have no interest in examining the evidence. I've got to tell you that I feel some great sympathy for the parliamentary assistant. He is paid a great deal of money to read off the government's spin in here, notwithstanding that as a trained professional and competent lawyer he knows full well that this isn't how you approach an issue. As a trained, competent professional lawyer, the parliamentary assistant knows that you've got to examine the facts carefully, critically and analytically. But—dare I say it, and I think I understand—as an ambitious parliamentary assistant, he is serving his master well. Indeed, he is like that pit bull sitting by the Victrola serving his master, right?

**Mr Lalonde:** I was listening very carefully to the comments brought forth by the member for Nickel Belt. She seemed to be concerned about how we would differentiate the breeds of dogs.

Let me tell you, member for Nickel Belt, municipal dog catchers are well-trained; they would definitely have the proper training to identify what is a pit bull and what is a poodle, and what is a pit bull and what is a chihuahua.

When the bill was introduced in the House, we had a lady sitting in the gallery from Chatham, Ontario, who had half her ear cut off. She was bitten by a pit bull while delivering the mail. She was a mail lady. Also, in my own riding, in the little town of Maxville, I received many phone calls prior to this bill being introduced. There is who is a breeder down there. He has 49 of them in his yard, and one day his neighbour called me and said, "Jean-Marc, I cannot even get in my house. There are two pit bulls on my veranda. What are you going to do?" I said, "Just call the municipality. They must have a dog catcher there." That's just to show you that it is a danger for the population.



We are committed to ensuring strong, safe communities across Ontario. We are responding to the safety concerns expressed by thousands of Ontarians by proposing this legislation to regulate pit bulls in the province.

We have enough evidence to support this bill. Now we are going to have a public hearing. At the beginning, people were concerned if they were going to have a say in it. Yes, there will be a public hearing and everybody will have a chance to say how they feel about it.

**The Acting Speaker:** The member from Nickel Belt has two minutes to summarize.

**Ms Martel:** I appreciate the comments of all those who participated in the rotation. Let me just say this: It's easy to do what's politically popular. It is, and I recognize that this matter is politically popular. The question I'm asking you to consider is, are we doing that is right for public safety? That's what I'm asking you to consider.

The member from Glengarry-Prescott-Russell talks about the woman who was in the gallery who had half her ear chewed off. She's a victim and we want to protect her. But do you know what? That young child from Sudbury whose parents had to drive her down here to Sick Kids because she had been attacked by a German

shepherd: Do you want to protect her too? Yes or no? That's what I'm asking you to consider.

If you look in my community and you look at the bites in the last year in Sudbury—and the Sudbury and District Health Unit actually tracks this—of 117 reported dog bites, six were from pit bulls. The majority were from German shepherds, the same one that attacked this young girl. Are we doing anything about German shepherds? If you look at Winnipeg, you clearly see that although you banned pit bulls, other dogs came to the fore in terms of attacks on people: German shepherds and Rottweilers. So we didn't deal with the very difficult issue of dog attacks and dog bites from vicious dogs. We replaced one breed for another. What is the sense of that if you are not increasing public safety?

I hope we have public hearings because I think there are lots of people with lots of expertise who can come forward and tell us what is the best way for us to protect the public against vicious dogs. I'm not sure that it's a breed-specific ban. I hope we're going to find that out during the public hearings.

**The Acting Speaker:** It being near 9:30 of the clock, this House stands adjourned until tomorrow at 13:30 of the clock.

*The House adjourned at 2128.*

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## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 16 November 2004

Mardi 16 novembre 2004

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 16 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 16 novembre 2004

*The House met at 1330.  
Prayers.*

## MEMBERS' STATEMENTS

### METIS NATION

**Mr Garfield Dunlop (Simcoe North):** It is my pleasure to welcome members of the Metis Nation of Ontario to Queen's Park today. In particular, I would like to welcome MNO president Tony Belcourt and all the members of the Georgian Bay Metis Council, many of whom are my constituents.

These members of MNO are here, along with Regional Chief Charles Fox, to attend a commemorative gathering on the anniversary of the hanging and death of Louis Riel, and to honour his memory and celebrate his contribution to his people and to Canada. As well, the gathering today honours the historic bond between the MNO and First Nations. A protocol has just been signed between the MNO and the Chiefs of Ontario.

The Metis Nation of Ontario currently has major issues with the MNR, and I'd like to read a clip. I want to put this on the record today.

"On October 7, 2004, Metis Nation of Ontario (MNO) president Tony Belcourt and the Ontario regional chief of the Chiefs of Ontario, Charles Fox, expressed dismay at the actions of the Ministry of Natural Resources, which unilaterally decided to break the historic agreement with the Metis Nation of Ontario. The MNR announced the changes with no notice to the Metis people.

"Mr Belcourt and Ontario Regional Chief Fox called upon Premier McGuinty to immediately convene a meeting to discuss the creation of an aboriginal policy, to prevent this situation from occurring in the future.

"The government continues to treat the aboriginal people in Ontario in an arbitrary manner. Ontario Regional Chief Fox and Mr Belcourt said that they expect the government to live up to its commitment to the constitutionally recognized aboriginal people in Ontario—the First Nations and the Metis Nation."

I appreciate the opportunity to speak to this today.

### CORRECTION OF RECORD

**Ms Andrea Horwath (Hamilton East):** Before I start my statement, I just want to correct a date I cited in yesterday's statement. My by-election was May 13, and Ms Fairclough's was May 15. I apologize for that error.

### GORDON KENNARD

**Ms Andrea Horwath (Hamilton East):** I rise today to honour a long-time resident of Hamilton East who passed away April 12, 2004, at the age of 82.

Mr Gordon Kennard was a very special person who did not allow his physical disabilities and challenges to keep him from living a life that was full and meaningful. When Gord was born, his family was advised to place him in a home, but his loving and close family would not do so and Gord was enrolled at George Armstrong school in Hamilton, where he made close friends who remained part of his circle all of his life.

Through his physical therapy at Chedoke, Gord met a doctor who saw his potential and helped him to obtain a position at Chedoke Hospital as an orderly, where he worked until retirement. He became a proud and active member of his union, the Canadian Union of Public Employees.

For Gord, the church and the NDP were what kept everything in perspective. He might have experienced adversity because of his many health challenges, but they never stopped him. He was a long-time Hamilton East NDP executive member and a proud life member of the New Democratic Party. Talking politics at the food court of Hamilton's Centre Mall was a favourite pastime, and he was never prouder than when he signed up his own church minister as a member of the NDP. He also was a talented pianist who played the organ on most Sundays at church, Fairfield-St David's United.

I feel honoured to have known Gord Kennard. Gord was a man of courage and dignity and used his life and time to work for the betterment of everyone. His compassion for others was limitless, perhaps because he himself experienced cruel taunts and discrimination.

Rest in peace, Gordon. You touched many in Hamilton by your kindness and caring, and are missed.

### HEALTHY WORKPLACE AWARD

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I rise today to acknowledge the tremendous contribution of DaimlerChrysler Canada to both the city of Brampton and the province of Ontario. DaimlerChrysler Canada and the Canadian Auto Workers have recently been awarded the National Quality Institute's Healthy Workplace Award. The Healthy Workplace Award recognizes employers who promote, encourage, support and offer exemplary health-related policies and programs in the workplace.



The National Quality Institute has recognized the unique collaborative partnership between the company and the union, and the innovative health, safety and wellness initiatives delivered to DaimlerChrysler Canada's employees, retirees, and their families.

DaimlerChrysler Canada and the CAW provide numerous employee initiatives, such as health and safety programs and policies, education and training programs, on-site health and wellness services, and environmental programs and policies. This award recognizes the way in which DaimlerChrysler and the CAW are working together to ensure DaimlerChrysler's international success. I commend the efforts of both DaimlerChrysler and the Canadian Auto Workers union and congratulate both DaimlerChrysler and the Canadian Auto Workers on their award.

### SCARECROW FESTIVAL

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I rise in the House today to pay tribute to the organizing committee and over 120 volunteers who made the eighth annual Meaford Scarecrow Invasion and Family Festival possible. In a bid to set a new Guinness world record for the largest scarecrow population in the world, thousands of scarecrows have been found sitting on front lawns, climbing up lampposts and lounging on front porches all over my riding for the past couple of months.

This year was especially significant because the organizing committee, led by head scarecrow Marilyn Morris, partnered with the executive of the International Plowing Match. Scarecrows were a prominent theme during the rural expo, with over 500 of them on display throughout the tented city and beside signage leading visitors to the event.

While the partnership was a tremendous success for both committees, I guess it was a little bit too confusing for Ministry of Transportation officials. It seems the MTO took the scarecrow invasion title just a fraction too literally and feared for the safety of people in my riding. I don't know how else to explain their decision to remove all the scarecrows from their highways.

While that may be a little bit untrue, Mr Speaker, I can think of one other explanation: Perhaps MTO officials were worried that the travellers going to the plowing match on Highway 26, the roughest highway in this province, could not afford any distraction. Drivers taking their eye off the road or a hand off the wheel for even a split second risked hitting one of the potholes, sending them into the ditch for an up-close-and-personal visit with each of the scarecrows.

### UNIVERSITY AND COLLEGE FACILITIES

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise in the House today to speak about the tremendous opportunities for post-secondary students that are now available in Durham region at Durham College, which

has served students in the region and beyond for over 37 years, and at the province's newest university, the University of Ontario Institute of Technology, or UOIT, as it's known locally. I'm sure my friends opposite, the members for Whitby-Ajax, Oshawa, Durham, and Haliburton-Victoria-Brock, would agree with me.

In what many consider a model for post-secondary education in the 21st century, UOIT shares its campus with Durham College, one of the province's leading community colleges. Less than two years after opening its doors, enrolment at the university already stands at 1,850 full-time students, and Durham College has more than 5,600 full-time students and an astounding 19,000 part-time students.

Recently, I had the pleasure of attending the grand opening of the university's new academic buildings and the brand new, state-of-the-art campus library, which serves both the college and the university. The buildings reflect the college's and the university's dedication to academic excellence and cutting-edge, market-oriented innovation. That commitment is attracting some of the finest scholars and researchers in the world. Just recently, for example, one of the university's engineering professors, Dr Ibrahim Dincer, received UOIT's first major research award, the \$100,000 Premier's Research Excellence Award, for his leading-edge work involving practical fuel cell technology for automobiles.

For more than a decade, parents in the region have dreamed of a local university that would enrich the lives of their children and of students from across Canada and around the world. Today, thanks to the tireless efforts of local educators and countless volunteers, as well as the support of the local and Ontario governments, that dream is a wonderful reality.

I proudly invite Ontario students to learn more about these two great post-secondary schools on-line at [www.durhamcollege.ca](http://www.durhamcollege.ca) and [www.uoit.ca](http://www.uoit.ca).

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### PHARMACISTS

**Mr Cameron Jackson (Burlington):** I would like to join all members of this House today in welcoming over 100 of Ontario's professional pharmacists, who are here at Queen's Park to celebrate Pharmacists' Day.

We clearly acknowledge and value the professional services provided by Ontario pharmacists every single day. They don't simply dispense medications. They give invaluable health advice. They recognize and intervene when medications are prescribed that could cause adverse reactions or even lead to hospitalization, the number one reason why seniors go into hospitals for a pharmacological reaction.

The Minister of Health lauds his OMA agreement that bonuses doctors by \$50 million if they will help cut consumption of medications for seniors and social assistance recipients and their children for up to \$200 million, and yet nowhere has the government acknowledged the vital

role that pharmacists play as learned intermediaries in the drug prescribing and dispensing continuum.

The Ontario Pharmacists' Association has expressed concern about the growing number of Americans coming across the border into Ontario to acquire cheaper drugs and the proliferation of Internet pharmacies. Perhaps the Ontario College of Pharmacists should be focusing on creating proper regulations governing the practice of pharmacy in this province and not simply getting involved in attempting to manage the business side of pharmacy in this province.

#### STEVEN TRUSCOTT

**Mrs Carol Mitchell (Huron-Bruce):** I would like to state that the people of Clinton wish to see the final chapter of the Steven Truscott case resolved quickly.

As you are aware, this event took place 45 years ago in Clinton, Ontario, a small town in my riding, and many people today still feel a very strong attachment to this case. Justice Minister Cotler stated that there is a reasonable basis to conclude that a miscarriage of justice likely occurred in this case.

Closure needs to be brought to the case that has weighed heavily on the people of Clinton for over four decades. The people of Clinton and Ontario wait to see the final chapter written.

#### PHARMACISTS

**Mr Bob Delaney (Mississauga West):** I'd like to echo some of the sentiments of my colleague from Burlington and welcome to the Legislature today the members of the Ontario Pharmacists' Association. They come to us on Pharmacists' Day to showcase the many diverse services that pharmacists provide in today's health care system.

The pharmacists' interactive displays in room 228 show how they manage their expertise in drug and medication management to improve the health and well-being of Ontarians. Pharmacists help reduce asthma attacks, control diabetes and obesity, manage medication appropriately and much more. Ontario pharmacists play a key role in alleviating health care pressures. They are an accessible health care provider. They have the ability to outreach to patients and to collaborate with other health care providers to ensure Ontarians receive the best patient care within their community.

Recently, the Ontario Seniors' Secretariat partnered with the Ontario Pharmacists' Association to deliver safe-medication-use seminars for seniors across Ontario. The seminars involve a presentation by a community pharmacist and a question-and-answer period. Pharmacists have a wealth of information to share and to make a positive contribution to the health and well-being of Ontarians every day.

If you managed your medication well today, thank a pharmacist.

#### CONSUMER PROTECTION LEGISLATION

**Mr John Wilkinson (Perth-Middlesex):** Unfortunately, I have to rise in the House today and bring to the House's attention the resurgence of what I consider to be irresponsible opposition in this House. This time, it concerns the delaying of Bill 70, the Consumer and Business Services Statute Law Amendment Act. This bill, if passed, will enforce stronger rules on fitness clubs. It will strengthen time-share disclosure rights. It will extend cooling-off periods. It will ban negative-option billing and bring a host of stronger remedies and enforcement powers.

This bill will address the issues brought up recently in the Hamilton Spectator. This is a bill that has the support of unions and the business community. The International Brotherhood of Electrical Workers Construction Council of Ontario supports it, TransUnion supports it, and the Ontario Chamber of Commerce supports it, just to name a few.

I would like to end by asking a simple question: Why are they opposed to getting these consumer protections in place? Why, yesterday in the House, did they not grant unanimous consent to bring the bill out of committee into this House? We called the bill yesterday at 6 o'clock, not at 6:45. The opposition didn't want to work here. No, they were too busy, maybe going off to a party or something. Instead, we could have had this matter settled. They denied the fact that all of us want this bill passed. Opposition? Boy—

**The Speaker (Hon Alvin Curling):** Thank you.

#### INTRODUCTION OF BILLS

##### FREDERICK BANTING HOMESTEAD PRESERVATION ACT, 2004

##### LOI DE 2004 PRÉSERVANT LA PROPRIÉTÉ FAMILIALE DE FREDERICK BANTING

Mr Wilson moved first reading of the following bill:

Bill 146, An Act to ensure the preservation of the Frederick Banting homestead / Projet de loi 146, Loi visant à assurer la préservation de la propriété familiale de Frederick Banting.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Wilson?

**Mr Jim Wilson (Simcoe-Grey):** The purpose of this bill, which I hope will be supported by all members of the House, given that Sir Frederick Banting was the first Canadian Nobel Peace Prize winner—his homestead is just outside of Alliston and, unfortunately, in the last few years it has fallen into a state of disrepair. It's deteriorating rather quickly.

The Ontario Heritage Society was bequeathed the property by Edward Banting for \$2 in 1999. They've let



the property deteriorate. As I said, this would allow the Minister of Culture to place a covenant on the property to ensure that, for ever and ever, it would be maintained as the Sir Frederick Grant Banting homestead.

PENSION BENEFITS  
AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI  
SUR LES RÉGIMES DE RETRAITE

Mr Levac moved first reading of the following bill:

Bill 147, An Act to amend the Pension Benefits Act /  
Projet de loi 147, Loi modifiant la Loi sur les régimes de  
retraite.

**The Speaker (Hon Alvin Curling):** Is it the pleasure  
of the House that the motion carry? Carried.

Mr Levac?

**Mr Dave Levac (Brant):** I would like to thank  
legislative counsel Albert Nigro and my intern, Adam  
McDonald, for the assistance they gave to me on this bill.

Police service personnel, through no fault of their  
own, are losing huge sums of pension money because of  
a flaw in the Pension Benefits Act. This bill will correct  
that flaw. The bill amends the pension act by allowing  
police officers transferred from municipal police services  
to the OPP, or the other way around, to transfer their  
pensions from one plan to the other. This is not possible  
and seriously disadvantages officers whose municipa-  
lities have chosen to contract out their police services  
to the Ontario Provincial Police, or to move it back into  
their realm.

This started as a constituency issue in 1999. Officers  
Packer, Maxwell and Always brought this to my  
attention, and I thought I'd try to help them on an  
individual basis. It seems that we need to pass a bill in  
order to correct that. I look forward to passing this bill  
very quickly.

CORRECTION OF RECORD

**Mr Jim Wilson (Simcoe-Grey):** On a point of order,  
Speaker: I wish to correct my record of a couple of  
minutes ago. I indicated that Sir Frederick Banting was  
Canada's first Nobel Peace Prize winner. Of course, he's  
Canada's first Nobel Laureate in medicine.

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STATEMENTS BY THE MINISTRY  
AND RESPONSES

ROAD SAFETY

**Hon Monte Kwinter (Minister of Community  
Safety and Correctional Services):** I rise in the House  
today to pay tribute to a group of men and women who  
protect our communities and help make Ontario an even  
safer province than it is. I'm talking about the police

officers of this province who risk their lives every day  
they report for work. They are in the vanguard. They are  
the people we turn to when we are in trouble. They are  
the people who are prepared to risk their own lives to  
safeguard others. They are the people who are there for  
us when we need them most.

Today, members of this House have had the oppor-  
tunity to meet first-hand the representatives of more than  
20,000 police and civilian members of police services  
across the province. I'm talking about the Police  
Association of Ontario, or the PAO. I want to acknowl-  
edge that they are in the east gallery and we are delighted  
to have them here today.

The PAO provides representation, resources and  
support for 66 police associations. Just as the PAO and  
its members are dedicated to making Ontario's com-  
munities even safer, so is the McGuinty government.

Today, I have an important announcement that will  
help make our streets safer for all drivers. The McGuinty  
government is serious about highway traffic safety and  
the safety and security of its citizens. We support a  
consistent, fair and lawful approach to traffic safety and  
enforcement across the province. Unsafe drivers should  
not be allowed to circumvent the laws of the province.

Currently, motorists who are charged with offences  
under the Highway Traffic Act have three valid options:  
(1) they can plead guilty and pay the prescribed fine; (2)  
they can plead guilty before a justice of the peace with an  
explanation; or (3) they contest the charge in court.

Twenty-one municipal police services across the  
province have been offering these drivers another alter-  
native: traffic offender diversion programs, commonly  
known as option 4 programs. Program implementation  
varies among police services. The usual practice of police  
services offering option 4 involves drivers attending a  
course at the police service and either watching a video  
or writing a true-or-false test on road safety. As such, a  
person exercising option 4 does not have to admit guilt or  
risk conviction by the courts. The driver does not face a  
monetary fine. They do not receive demerit points or face  
increased insurance premiums.

Because option 4 programs are not standardized across  
the province, the Ministry of Transportation has no way  
of confirming whether police services permit drivers to  
complete the option 4 program more than once in the  
same jurisdiction. They are not obligated to provide the  
ministry with that information. There is no shared  
database that lets police officers know they've stopped  
someone who has been pulled over for the same infrac-  
tion in other jurisdictions previously and has taken an  
option 4 course.

Suppressing convictions from a person's record  
hinders the identification of high-risk drivers. That's why  
I'm asking all Ontario police services that currently offer  
option 4 programs to cancel them effective January 1,  
2005. Eliminating option 4 will make Ontario safer by  
holding bad drivers accountable for their actions. These  
programs aren't designed to improve safety on our roads,  
they aren't effective in correcting driver behaviour, and

there is no standard program province-wide. Even the association representing the 20,000 front-line police officers in Ontario objects to these programs.

Here's what Bruce Miller of the Police Association of Ontario has to say: "Option 4 calls the administration of justice into disrepute."

The Canadian Automobile Association also objects to such programs and has called on the province to "quickly resolve what has now become an inconsistent two-tiered enforcement program."

The government supports innovative and effective means to increase road safety, but not at the expense of existing provincial laws designed to address these problem drivers. Option 4 programs don't work and they must stop. We expect the police services to adhere to this directive.

**Mr Garfield Dunlop (Simcoe North):** Here we've got another warm and cozy little announcement by the minister.

**Mr Peter Kormos (Niagara Centre):** Not that warm, not that cozy.

**Mr Dunlop:** Warm and cozy.

It's a directive. Why don't you either create legislation or not? If you're against option 4, put legislation through. But any of the legislation we've seen from this government, let's review a little bit of it. Let's review some of the legislation. The grow op legislation was brought forward on a warm and cozy morning here one day. They did a big special announcement on eliminating grow houses. We've never seen the legislation come forward.

The mandatory gunshot reporting: We haven't seen that come forward either. Where has it been? My colleague from Leeds-Grenville brought forward that legislation in a motion, a resolution, last year. It was supported by this House, and we still haven't seen it come forward.

The 1,000 police officers: the \$200-million cost to the citizens of the province of Ontario. That is what the 1,000 police officers will be if you start to implement it today. We have \$30 million on the table with some kind of an action plan behind it.

Let's talk a little bit about option 4 and the removal of it. Just a few minutes ago, I talked to the Ontario Association of Chiefs of Police. Again, of course, as usual, no one was consulted. The \$750,000 hole in the city of Barrie's police services budget: Who is going to make that up? I think the minister should bring forth legislation, remove this—if it's a tarnish on the police services industry, I think he should bring forward legislation, along with the money to help police services like the city of Barrie's replace the \$750,000 hole in their budget.

Again, here we go. It's a special day. The Police Association of Ontario is here, and I'm very pleased to see them. I've got a lot of friends in the PAO; with the general headquarters of the Ontario Provincial Police in my backyard, I've got to know a lot of people.

One thing I'm hearing from the people very clearly, and from police services, is that we have a lot of fancy announcements and no action. I want to know when the action is going to take place. Or is it like the pit bull legislation? You bring out a warm and cozy piece of legislation on pit bulls, and what happens? It turns into a nightmare across the province, as the Attorney General is likely finding out today.

We just got this legislation—I got this note, like, five minutes ago, so I didn't have a lot of time to really speak on it, but I did want to say a little bit about another piece of legislation that the minister promised: amendments to the private security guards. I have a bill, Bill 88, a private member's bill, that makes up for the Shand inquiry and implements all 22 recommendations. I don't see anything about that here. The minister, in the spring, promised legislation for this fall. Well, we've got five weeks left and we haven't had any legislation debated in the House. No legislation whatsoever has been debated, and we keep getting these little promises, like today; it's a directive. He is asking the police services of the province of Ontario to—he's directing them to obey his orders.

Just put a piece of legislation through. We'll likely support it, as long as the money comes with the piece of legislation to support our police services. The \$750,000: that's only one police service that I know of. I have no idea what it would cost in metro Toronto. Maybe we should contact Chief Fantino and find out what he's found out about this particular piece of legislation—I'm sorry, this particular directive.

I think what is important here is, again, no consultations, a smooth and warm, cuddly announcement on a day when the Police Association of Ontario is here. He is trying to make them happy and trying to comfort them for the lack of money that goes along with the 1,000 police officers, the \$30-million pittance. That's the type of thing we're hearing from this government. I hate to be negative, because I'm so supportive of the police services in the province of Ontario, but not under these rules and conditions, where it's all fancy announcements and no money to go with it.

I appreciate the opportunity to respond to this today.

**Mr Kormos:** On behalf of New Democrats here at Queen's Park, I'm more than pleased to respond to the Minister of Public Safety.

Look, we expected something from you today. We've got police officers from across the province here at the PAO lobby, so we knew the Minister of Public Safety was going to stand up and somehow address those police officers and attempt to reassure them that this government is finally, maybe, sometimes, perhaps, on their side, and this is what we get, this lukewarm, sort of pleading with the municipalities? "Please, if you don't mind, stop doing these option 4s, these shakedowns of drivers, these fleecings of drivers."

You have to understand why municipalities are doing it. Do you think they like doing them, Minister? Of course not; they're doing them because they have to, because they're forced to put cops out there doing fund-



raising; because these police services across Ontario are chronically underfunded and you have aggravated the scenario by downloading yet more on to them and not giving them the resources, the tools to do the job.

**1400**

You had a sad and miserable announcement a few weeks ago where you announced 1,000 new cops, and we learned in very short order, within a matter of mere minutes, that these weren't 1,000 new cops; they were 50-cent cops on a good day. Municipality after municipality after municipality has made it quite clear that they can't afford to buy into your scheme because they are already cash-strapped. You know full well that one of the most significant and ongoing tensions in municipality after municipality is between the chiefs of police advocating for their police forces, the police services boards and the municipal governments.

Policing is labour-intensive. We all know that. Policing costs significant amounts of money. We all know that. We in Ontario and in Canada have acquired the best-trained and most professional police anywhere in the world, but it doesn't come without investment. You, sir, have not been at all prepared to make that investment. You have been prepared to talk a big game when it comes to policing, but you don't deliver. When the rubber hits the road, you are nowhere to be seen.

Look at what municipality after municipality has said about your rather sad and feckless proposal for 1,000 new cops.

Sarnia Mayor Mike Bradley says it's too costly for the city.

Damian Parrent from the Niagara Regional Police Service is concerned about the municipality's capacity to pay what you would have as its share.

Herb Kreling of the Ottawa Police Services Board doesn't think the city is in a financial position to hire more officers, even if the province picks up half the tab.

The Timmins police chief says he won't be embarking on a hiring spree any time soon.

Mississauga Mayor Hazel McCallion described the plan as "a form of downloading" if the province doesn't fully fund the new officers.

The Hamilton Spectator notes, "Perhaps the Liberal promise book should have come with a disclaimer: 'Objects may not appear exactly as shown.'"

What did Liberals have to say about this 50-cent-on-the-dollar funding for new police officers? Well, in 1999, when the Conservatives claimed, again inaccurately, that they had hired 1,000 new police officers, one David Levac says, "Explain to me the 1,000 new police officers. I asked the police officers themselves, and I'm sure you heard it in private but you don't want to publicly announce it. The 1,000 is not translated into 1,000. I tried to optimistically say that's going to be 600 people. They said, 'You're way off, pal; it's more like 250 to 300 officers.' I want 1,000 police officers audited."

The fact is that, again, the best this minister can come up with is recycling of pathetic, empty and hollow Tory promises with respect to new police officers. Communi-

ties across this province expect you to give real support for policing in municipalities across Ontario. Police officers across this province are doing hard, dangerous work protecting property, saving lives and protecting public safety. They expect and deserve more from you and your government. They expect and deserve real support. When this government promised 1,000 new cops, the people of Ontario expected 1,000 new cops.

This government promised change, and all you've delivered is spare change to the people of this province. I say to this Solicitor General that the shakedown of drivers on option 4 programs isn't going to end because he is pleading with municipalities to do it; it will end if and when this government starts supporting municipalities in their efforts to develop strong, fully staffed, fully trained, fully resourced police forces across Ontario. Instead of making shabby, ill-conceived and poorly designed fluff-and-puffery statements here in the Legislature, why don't you start to deliver to police forces across Ontario so that we can maintain the high standards that people have worked so hard to build in this province?

## LEGISLATIVE PAGES

**The Speaker (Hon Alvin Curling):** I would ask all members to join me in welcoming this group of legislative pages serving in the first session of the 38th Parliament.

They are Sushil Chanana from Peterborough, Katharine Cooke from Prince Edward-Hastings, Emma Dobson from Renfrew-Nipissing-Pembroke, Kay Dyson Tam from Toronto-Danforth, Adam Edgerley from Thornhill, Lee Follis from Brant, Danika Hawthorne from Parry Sound-Muskoka, Emma Hinton from Trinity-Spadina, Curtis Jones from Scarborough-Agincourt, Dever Jylha from York North, Nicholas Klimchuk from Hamilton West, Ellen Martin from Bramalea-Gore-Malton-Springdale, Jane Michel from Oshawa, Savannah Nahwegahbow from Algoma-Manitoulin, Evan Odell from Mississauga South, Aisha Qureshi from Scarborough Centre, Nick Rogers from Ottawa-Orléans, Eric Schildroth from Kitchener-Waterloo, Laura St Marseille from Stormont-Dundas-Charlottenburgh and Daniel Walker from Parkdale-High Park.

Will you all welcome these new pages.

## ORAL QUESTIONS

### TAXATION

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question for the Premier. I would like to ask you about the contract you signed with the Canadian Taxpayers Federation during last year's election campaign. You put your signature to two solemn promises in that document: One, not to increase taxes; and two, if you felt

it was necessary to increase taxes, you would not do so without the explicit consent of Ontario voters. Premier, we've heard your excuses for breaching a signed contract with respect to tax increases. Why did you also break your second signed promise, your commitment to seek the consent of Ontario voters?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I had the opportunity to address this issue yesterday and I'm pleased to do so once again today. I want to remind my colleague opposite that on June 27, 2002, in this very Legislature, he, among many other colleagues of his in the Conservative Party, voted to break the Taxpayer Protection Act. The Leader of the Opposition now stands in his place and professes to be a champion of the Taxpayer Protection Act, the very act he and several of his colleagues broke in the past. This member, like this party, has no consistency and no credibility when it comes to these issues.

**Mr Runciman:** Once again, a non-answer from the Premier. He's pretty consistent in that respect, in any event.

Premier, your Liberal government now has two or three government lawyers in court at taxpayers' expense defending your political party's right to breach a signed contract. Your lawyers, at taxpayers' expense, have argued that this signed contractual promise by the Liberal Party of Ontario is no different than any other campaign promises, signed promises. You signed that contract with great fanfare. As a lawyer yourself, did you not understand the difference between a campaign platform promise and promises made through a signed contractual commitment? Or was it all political theatre where you knowingly and purposely hoodwinked Ontario voters?

**Hon Mr McGuinty:** The mistake we made on this side of the House was that we relied on a government financial document: the quarterly statement issued by that then government—this was released, by the way, just three weeks prior to the election being called—a document that specifically stated that there was no deficit, that the budget was balanced.

Doing our due diligence as much as we could, we estimated they were hiding a \$2-billion deficit. Never did we in our wildest nightmares suspect they would be hiding close to a \$6-billion deficit. The mistake we made, and the mistake we will ensure will never happen again in the province of Ontario, was that we relied on a government that was in fact hiding close to a \$6-billion deficit.

1410

**Mr Runciman:** That response had nothing to do with the question of a referendum, nothing whatsoever to do with the issue of a referendum.

Premier, today you said you intend to hold a referendum on the issue of democratic reform. You appear willing to hold a referendum when it suits your political purposes but reject one, even if it violates a signed contract, when it doesn't fit the interests of a tax-and-spend Liberal government.

Premier, it's not too late to honour your signed pledge. A referendum early next year will give Ontario voters the

opportunity you promised them to get their consent. If your so-called health tax is appropriate, it will be supported. If not, it will be rejected and the tax stopped. It's called democracy. You promised it. Demonstrate some integrity: Keep the promise and call that referendum now.

**Hon Mr McGuinty:** The member may not like it, but we're moving on and we're making profound changes in health care. We're transforming health care. We're investing in more nurses, more doctors, family health teams, MRIs, shorter wait lists for cataracts, cardiac care, cancer care, hip and knee replacements and the like. We are moving ahead. We're working in the interests of the people of Ontario. And no, we will not be held back by someone who lacks credibility and sincerity when it comes to honouring the Taxpayer Protection Act in the province of Ontario.

**Mr Runciman:** That response demonstrated complete disdain for the voters of Ontario—complete disdain.

#### PHOTO RADAR

**Mr Robert W. Runciman (Leader of the Opposition):** My second question is to the Minister of Transportation. I want to revisit an issue that we raised with him yesterday to no avail; we got the usual non-response from that minister. It is with respect to your office working with an organization called the National Campaign to Stop Red Light Running.

Minister, this is a group that approached your office to organize a road safety event in support of photo radar. A member of your staff sent an e-mail to stakeholders across Ontario, and we have a copy of it here, lending your office's support for the event and inviting interested parties to speak directly with a photo radar company. Your office even went so far as to write the press release for the event on behalf of the organization.

The problem is, Minister, the organization is funded by companies that market and sell photo radar cameras at upwards of \$100,000 a pop. Undoubtedly, these companies stand to make a lot of money from your government if you bring back photo radar, which you haven't ruled out.

Do you believe that large photo radar companies should be using your office as a promotional tool to advocate for photo radar? Minister, try to answer the question today, please.

**Hon Harinder S. Takhar (Minister of Transportation):** It might come as a surprise to the honourable member that we do talk to the stakeholders, and we do consult them before we make any decisions, unlike the other government that just went ahead and did things.

The red light camera discussion was no different from the other discussion that we had to consult with stakeholders, and that was the spirit this was done in. They sent us the release. We passed it on to the other stakeholders. That's all we did. There was nothing more done than that.

**Mr Runciman:** The minister's office has now been directly linked to an organization that advocates for, and



is funded by, photo radar companies. And it gets worse. We have an e-mail here today originating from your office, Minister, which refers stakeholders who are interested in this event to contact an unregistered lobbyist who's employed by one of the largest photo radar companies in North America. This lobbyist is not registered on the Ontario lobbyist registry, yet your office actively was supporting their event and working closely with them.

Minister, this is more than stakeholder relations; this is allowing your office to be used by a company that stands to make a lot of money from your government if you implement photo radar. How can you justify doing that?

**Hon Mr Takhar:** My number one concern is to make sure that the roads are safe in Ontario. Anything we can do to promote that we will continue to do. We will continue to work with our stakeholders to make sure we can provide the right information to drivers and all other stakeholders who will make our roads safer so that we can reduce fatalities on the roads, and in that respect, this was done.

Just for the record again, the red light camera was in fact introduced by the previous government. We made it permanent after the pilot project finished. We feel there are real advantages to doing that because it improves safety on the roads. There is nothing in this press release that is anything other than making sure it outlines the advantage of the red light camera.

**Mr Runciman:** His number one priority should be ensuring the integrity of his office, and clearly he's not doing that.

You're not answering the question. You're trying to divert attention with respect to this very serious concern. You have no answer to questions about a photo radar company, in fact one of the largest in North America, one that stands to make millions from your government, should you implement photo radar. I'll keep saying it: Why has it been allowed to operate through your office, to use your staff and government resources to promote their product? Again, Minister, why do you think it's appropriate for a company that is actively advocating for yet another tax grab, this time in the guise of photo radar, to be working through your office and using your resources to further their own agenda? Why is that appropriate?

**Hon Mr Takhar:** Let me just quote from what this member said about photo radar. He said, "Maybe we should take another look at photo radar in those areas to monitor that sort of thing because police cannot be there 24 hours a day, and that is part of the problem." He was referring to photo radar at that point in time.

I'm not sure what has changed since then that he now thinks photo radar shouldn't be there to promote safety. But in this case alone, there was a press release that was passed on to my ministry and we just passed it on to the other stakeholders so they would know what was happening on the red light cameras front. That's all we did. There was nothing more than that. That improves safety on the roads, and I think all should be concerned about safety on the roads.

## HEALTH CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, before and during the election, you promised you would not cut health care. After the election, you announced health care cuts to chiropractors, physiotherapists and optometrists. Today 600,000 ordinary Ontarians have sent you a clear message. They oppose your cuts to chiropractic care. They are sick of the McGuinty government's pay more, get less health care. Will you reverse your health care cuts, or did your promise not to cut health care mean nothing?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm delighted to take the question. I have some sympathy for the many Ontarians who attached their names to that petition. It was not an easy decision, I can tell you, for us to have to reduce coverage for areas like chiropractic. But the fact of the matter is that we've got to make some difficult choices, and we will not shrink from that responsibility. My friend opposite may offer the kind of leadership where you tell people exactly what you think they want to hear, but we're saying that when it comes to health care in Ontario, we've got to make some difficult decisions, and we have chosen instead to invest in cancer care, cardiac care, hip and knee replacements and those kinds of things. Those are the kinds of decisions we've made in health care, and we've made them for the right reasons.

**Mr Hampton:** Talk about someone who tells people what they want to hear, "I won't raise your taxes," and then immediately does otherwise. Premier, you shouldn't lecture anyone.

I want to refer you to a respected medical journal, the Archives of Internal Medicine, which conducted a study of 1.7 million back-injury patients. The study concludes that covering the cost of chiropractic care reduces total health care costs by 1.6%. In Ontario, that means if OHIP covers the cost of chiropractic care to the tune of \$100 million a year, it saves \$480 million in total health care costs—one good study. Then there is a study by Deloitte and Touche, a firm that your health minister uses a lot, which says that your cuts to chiropractic will not save one slender dime.

Premier, you're very good at making promises. Do you have any studies or reports that support your broken promise?

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**Hon Mr McGuinty:** I'm sure the leader of the NDP would be interested in casting his mind back to their legacy when they had the privilege of serving in government. I don't recall the NDP making any of these promises, but unfortunately they delivered notwithstanding. They cut hospital funding by \$277 million. They cut OHIP funding by \$218 million. They cut funding for Ontario drug benefits by \$29.3 million. They cut funding—if you can believe this—for mental health by \$42.4 million. They cut long-term-care funding in Ontario—the only government ever to cut funding to long-term care—by \$6.1 million. They also cut funding for

community and public health by a whopping \$163.7 million. That speaks to the record of the member who raises these issues today.

**Mr Hampton:** If you want to talk about history, you might include that someone named Paul Martin, Liberal finance minister, cut health care funding by the federal government so much that he put every province in the hole.

But I want to ask about chiropractic care. This is a study by the Workplace Safety and Insurance Board, just completed.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I'm having difficulty hearing the leader of the third party. I am applying the rules to ask the government House leader to be a little quieter because I cannot hear the leader of the third party.

**Mr Hampton:** I don't think the McGuinty government wants to hear about these studies. This is a study by the Workplace Safety and Insurance Board, just completed. What it shows is that when injured workers with back injuries receive chiropractic care, they miss only, on average, nine days of work. When they receive other forms of medical treatment, they miss a median of 20 days of work. That is a lot of money out of the pockets of workers and it's a lot of money out of the economy.

Your health care cuts to chiropractic are thoughtless. They hurt workers, they hurt the economy, they hurt the health care system. Will you reverse your cuts, or is this just, once again, another broken McGuinty promise?

**Hon Mr McGuinty:** I want to thank the member from status quo once again for his representation. On behalf of that particular constituency, I can tell you that, no, we will not reverse that decision. It was a difficult decision, but it was the right decision.

Let me tell you another decision that we made which is the right decision. We've got close to one million Ontarians today who cannot find a family doctor for their own purposes. The reason we find ourselves in that mess, to a very large extent, is because when the NDP formed the government they reduced the number of medical spaces in our medical schools. What we are doing—and I'm proud to say this—is investing \$600 million over the course of the next four years to establish 150 new family health teams to bring primary care closer to the people of Ontario.

We're making some choices. We will not shrink from our responsibility to make difficult choices. We cannot be all things to all people. We're investing in those kinds of things which we think warrant greater priority—like cardiac care, cancer care, hips and knees, family doctors and nurses—and we're proud to do it.

#### CHIROPRACTIC CARE

**Mr Howard Hampton (Kenora-Rainy River):** Premier, you might want to know that once again it was a federal Liberal government that mandated that all

provinces cut the spaces in medical schools, and it was a federal Liberal government that continued that policy. But I want to ask you about chiropractic care, something you don't want to answer.

One of the people who is here today is Paul Leblanc. Mr Leblanc suffers from debilitating leg and foot pain. The pain got so bad it left him completely unable to walk and therefore having to rely on disability allowance. Chiropractic care helped Mr Leblanc put his life back together. Over the last two years, his chiropractic treatments have put him back on his feet. He can walk again, and he's looking forward to going back to work.

Chiropractic care makes a real difference. Tell Mr Leblanc and hundred of thousands of other Ontarians like him: Why are you depriving them of the hope and relief that chiropractic care delivers?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Just so we are perfectly clear here, when it comes to workers' compensation, WSIB covers those health care costs. That changes nothing with respect to chiropractic coverage—just so we're perfectly clear on that score, because this member opposite would have us believe something else. WSIB continues to cover health care costs for injured workers.

**Mr Hampton:** Mr Premier, I'm talking about all the other Ontarians who may not in the particular case have the advantage of WSIB coverage, and there are hundreds of thousands of them.

I want to refer to another one who is here today, Lucianna Viventi. She's a single mom with two kids. She suffers from a degenerative bone disease that causes her severe back pain and has done so for 20 years. At one point, the pain got so bad that her surgeon considered disc replacement surgery and spinal fusion surgery. But seeing a chiropractor has turned things around for Ms Viventi. With regular, affordable chiropractic care, she's been able to avoid these kinds of serious surgeries. Tell her, Premier, and the thousands like her in Ontario: Why are you depriving them of the hope and relief that chiropractic care delivers?

**Hon Mr McGuinty:** Again, so we're clear, the coverage that used to be provided was a total of \$150 for a year—for 12 months. I'm not minimizing how important that can be. But I can tell you as well that we're investing an additional \$2.4 billion in health care this year.

We're investing in high-priority areas. I know chiropractic coverage is important, but I can tell you that cancer care is very important to Ontario families. I can tell you that cardiac care is very important to Ontario families. Cataract care is very important to Ontario families. Having their sight restored and being able to lead a more productive life is very important to Ontario families. That's why we made that kind of a decision.

**Mr Hampton:** Premier, I hear your response, but do you know what? Those are just more McGuinty promises, and we've already had a track record of broken McGuinty promises.

These are real people. It's interesting you talk about cancer. Dolores Scandura is here today. She is a cancer



survivor, and right now she has to rely upon a disability allowance. In her long fight with this terrible disease, she has undergone gruelling treatments with painful side effects. Chiropractic care has helped her deal with the pain, but now, if she wants this most important treatment to make the pain much more bearable, she's going to have to find a way to pay out of her pocket. And let me tell you, for her, \$150 a year is something she can't afford.

Experts say you're wrong. Every study I've produced says you're wrong. People across Ontario say you're wrong. Will you reverse your cuts to chiropractic care? Or is this just another McGuinty broken promise?

**Hon Mr McGuinty:** We will not embrace, as my colleague opposite so willingly does, the status quo. We're going to transform health care. We're going to be making some decisions which are going to ensure that over the long term, health care is there not only for our generation, but for the next generation and the one after that. That's why we're investing \$2.4 billion more in health care this year than was invested year. That's why we put in close to \$1 billion more for hospitals alone. That's why we're working with hospitals to balance our budgets as part of a new collaborative process. That's why we're committed to reducing wait times in key areas like cancer care, cardiac care, cataracts, MRIs, CTs, hips and knees and the like. That's the approach we're bringing to health care. We're making difficult decisions. We will not defend the status quo, because we are committed to ensuring that health care is there for a long time to come.

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## HEALTH CARE

**Mr Jim Flaherty (Whitby-Ajax):** A question for the Premier: You speak about being against multi-tiered medicine. You know that in your Ontario, if you're hurt in the course of your employment, you get chiropractic coverage. If you're hurt in an automobile accident, you get chiropractic coverage. But the change that you propose to make discriminates against people who haven't suffered their injuries in that kind of accident. And even worse than that, you discriminate depending on the type of care. When you bring in your amendment with respect to optometrists, you exempt patients on disability support, you exempt people on the Ontario Works program and seniors.

Premier, how on earth can you justify this type of discrimination in health care in Ontario? There are 600,000 people who signed that petition. When I was in Windsor this past summer, a blind woman came to me and said she goes to chiropractic care every couple of weeks. It keeps her going; it keep her mobile. Why discriminate against her?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I appreciate the opportunity to repeat

some of the key messages that I think have been delivered here today. The fact of the matter is, in response to the question from the honourable member, the government is faced with making difficult choices. In a province where our drug budget, as an example, is under a 15% annualized pressure, costing this year something like \$400 million more, it's going to be necessary to make sure that we're focusing the appropriate amount of resources in priority areas like that.

We have worked through the life of that party's government. They increased the number of communities in Ontario that were underserved from the standpoint of having a family physician, to the point that when we came to office, nearly 140 communities were in such a position. We moved forward the priority of bringing new doctors to family practice in Ontario, addressing that critical priority for Ontarians. These are the choices that we're faced with making. They're difficult choices, as the Premier said, but they're the right ones for the future of health care in Ontario.

**Mr Flaherty:** That's certainly no compassion shown for disadvantaged people in Ontario who require chiropractic care. You ought to speak to your own—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Minister of Community Services, Minister of Trade, order.

Now, where was I? Member for Whitby-Ajax.

**Mr Flaherty:** We're talking about—

*Interjections.*

**The Speaker:** Member for Simcoe-Grey—that's the reason that I didn't know where I was. The member for Whitby-Ajax.

**Mr Flaherty:** I was speaking about the lack of compassion for persons suffering from conditions requiring chiropractic care in Ontario. For some reason, the people opposite seem to think that someone who is disadvantaged is entitled to optometry services but not to chiropractic services, which shows a fundamental misunderstanding of all the health care needs of the people of Ontario.

Let's talk about consultation. This Premier and this health minister pride themselves on consultation. The fact is, the government never once spoke to chiropractors or their patients about delisting. The first time the Minister of Health spoke to the Ontario Chiropractic Association was on June 20, more than a month after the announcement here. What about the people of the province of Ontario? The patients are the ones who matter here. Would you at least do the fundamental minimum thing, Minister, or would you at least, Premier, tell the minister to do the fundamental thing and consult with chiropractic patients in Ontario?

**Hon Mr Smitherman:** The honourable member's assertion that I didn't have a conversation with the chiropractors is as absurd as the assertions he made in the other two parts of his question.

The first is to have the audacity, as that member did, sitting as they are, two seatmates together, both of them proponents for two-tier medicine in the province of

Ontario, talking about that. And then to pile on with the audacity to talk about compassion, a man, a front-bencher in a government, who threatened to jail the homeless; a man who thought that the appropriate resolution to assisting people on welfare was to drug-test them; a man who was part of a government that arbitrarily reduced welfare rates for those most in need in our province; a man who was part of a government that eliminated the nutritional supplement for pregnant women; a man who was part of a government that stood by and did not increase—

*Interjections.*

**The Speaker:** Order. Order, member from Whitby-Ajax.

Stop the clock.

*Interjections.*

**The Speaker:** Order. Could I ask the members to address themselves in a manner that we can respect each other. Respect the person who is asking the question and respect the person who is answering. The heckling that goes on like this is not appropriate. I'm sure you can conduct yourselves in that manner. I am confident that you can.

I would like to proceed with question period. I think it's a new question. The member for Toronto-Danforth.

#### CONTAMINATED SOIL

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of the Environment. I have a question about water quality and contamination. Last week the city of Orillia started work on rehabilitating a toxic brownfield. They are planning to construct a big, new recreational centre. The people of Orillia want new infrastructure for recreation in their community and they want brownfields to be cleaned up and put to better use, and so do we. But citizens are very worried, and so am I, about this situation.

Contaminants far exceeding ministry standards have been found at the site. Excavation work started suddenly last week, before you had a chance to review requests to investigate this further, which you promised you would do. You were scheduled to release your decision on November 23, yet you allowed the work to start before you released that decision. Minister, I ask you, given all this information you have about the contaminants on the site, why have you let work already begin?

**Hon Leona Dombrowsky (Minister of the Environment):** This is a very important issue. Rehabilitating brownfields is good for the environment. The honourable member has indicated that contaminants on the site exceed normal values. That's why it's a brownfield. That's why it needs to be rehabilitated. That is why the Ministry of the Environment is working with the municipality to ensure that as the site is remediated, all appropriate safeguards are taken to ensure that the community is protected and that the groundwater is protected.

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**Ms Churley:** Minister, you've made me even more worried, given that answer. The toxic soil from this

former iron foundry site is filled with high levels of carcinogens and other chemicals. Some 40,000 tonnes of it are going into the regular—regular, not hazardous waste—municipal landfill right next to Lake Simcoe. It's a water quality issue. Preliminary soil tests found levels of vinyl chloride and other chemicals up to 80,000 times MOE limits. That's what this question is all about: where you're putting them.

Your spokesperson, despite that, was quoted today in the Orillia press saying you are "confident that the plan that's in place" will protect "the environment and health of the community."

Minister, given those high levels of toxic waste and the fact that you haven't seen a full assessment, why in heaven's name are you letting this go ahead so close to a water source?

**Hon Mrs Dombrowsky:** I'm very happy to speak to the member's question around what the Ministry of the Environment is doing to ensure that the environment is protected. Yes, there are very high levels of contaminants, not considered hazardous waste yet. If they were, they would be disposed of in a hazardous waste facility. However, the material that is removed from the site is being placed in separate windrows in the landfill facility. They are being tested every 30 metres for the levels of contaminants, and those levels of contaminants will be posted on the city of Orillia Web site so the public will have access to those results as soon as they are available from the testing labs, which is five days from the time the tests are taken.

I'm confident that all measures are being undertaken to ensure that the safety of the environment is protected in the community of Orillia and Lake Simcoe.

#### CONSUMER PROTECTION

**Ms Judy Marsales (Hamilton West):** My question today is for the Minister of Consumer and Business Services. Yesterday, the government proudly launched the first ever Consumer Awareness Week dedicated to raising consumers' awareness about their rights and responsibilities in the marketplace. This is increasingly important, as Ontario consumers spend about \$125 billion each year.

Minister, would you please highlight how the government of Ontario is protecting Ontario consumers and how this new proposed law will affect both consumers and businesses alike?

**Hon Jim Watson (Minister of Consumer and Business Services):** I want to thank the honourable member for Hamilton West for her question. I was very proud yesterday, on behalf of the Premier and our government, to launch the first ever Consumer Awareness Week at the Eaton Centre. On Monday we talked about rights and responsibilities of consumers in Ontario in the 21st century. Today I was joined by the Ontario Real Estate Association, talking about how we can help consumers who are buying or selling their homes in Ontario. Tomorrow we are going to be dealing with Internet scams



and how individuals can protect themselves, and on Thursday with how we can help individuals who are traveling with the travel agency industry in this province.

We are very proud of the work we're doing. I want to thank the partners that have come together from the private sector, the public sector and our government ministries. We're showing leadership in terms of making sure that consumers are well educated and well armed to protect themselves against unscrupulous business people. I very much appreciate the interest and the work that the member for Hamilton West has done on behalf of her constituents.

**Ms Marsales:** In recent weeks, some media reports, particularly a five-part series initiated by the Hamilton Spectator, have surfaced regarding potential scams from unscrupulous fitness club operators. The upcoming holiday season is traditionally an important shopping season for consumer goods and services. In fact, the majority of gym memberships are purchased in the late fall and early winter. Minister, would you please explain how the current and proposed consumer protection legislation will help to eliminate these scams and help the people of Hamilton and the citizens of Ontario?

**Hon Mr Watson:** The member is quite correct. The current law, quite frankly, does not give that kind of protection to individuals who get ripped off by certain fitness clubs from time to time. This Bill 70 that is before the House will allow consumers to cancel arrangements with fitness clubs within 10 days and will double the fines to \$50,000 for individuals and \$250,000 for corporations that break the law. It will also allow our ministry to post convictions of those fly-by-night operators who are ripping off the public.

For the life of me, I don't understand why the NDP is supporting unscrupulous fitness clubs. I don't know why the NDP is turning its back on the International Brotherhood of Electrical Workers and the building and construction trades council, who want greater safety in the workplace. Why does the third party stand by and support those unscrupulous, door-to-door representatives who are ripping off senior citizens?

#### SHELTER SERVICES

**Mr Frank Klees (Oak Ridges):** My question is to the Premier. Today, we read in the Toronto Star that the city of Toronto paid \$850,000 for empty rooms that should have been shelters for people who needed them. Eighty per cent of that \$850,000 was transferred to the city of Toronto by the Ministry of Community and Social Services, and a good deal of that money comes from the regions in the greater Toronto area through pooling, \$80 million from York region alone.

Premier, I would like to ask you this question because the director of shelter services for the city of Toronto simply shrugged this off by saying this was a good deal. Do you believe it's a good deal and, if you don't, what steps will you take to ensure this never happens again?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the Minister of

Community and Social Services would like to speak to this.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me assure this member that the city of Toronto is well aware, through an audit done on these programs, which is what identified this problem in the first place, dating back to the years 2001 through 2003. When this new mayor took office after the last mayoralty election, he stopped the practice. He looked at the audit that the city itself had called to determine that they need to know they are spending every single cent appropriately. When it was uncovered, it was clearly stopped immediately.

The mayor of Toronto, the Premier of Ontario, all of us share the concern. If we have one dollar that we're going to spend to help people most in need, it will be spent well.

**Mr Klees:** The chair of the region of York said this today: "We have our own social issues in York region and cannot adequately address our own residents' needs when our second-largest operating budget line item, behind policing costs, is pooling."

The minister indicates clearly that she's now satisfied and she'll trust the city of Toronto to do what's right. The chairman of the region of York is not prepared to give Toronto that same benefit of the doubt. Will the minister take the initiative to ensure that pooling—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order.

**Mr Klees:** —will be reviewed so that—

**The Speaker:** Order. Maybe I should let it be known that when I stand up and you continue to speak, you are not on TV and your voice is not being heard. I would like you to sit down when I stand up. In the meantime, I was trying my best to make sure that the government side, which was heckling, remained quiet so you could ask your question. I'm going to ask you now to put your question in 30 seconds.

**Mr Klees:** Can I have an undertaking from the minister that she will ensure that the entire issue of pooling is reviewed so that the regions in the GTA not only are required to transfer millions of dollars to the city of Toronto, but they also have a say in how that money is spent so that there's accountability to the regions for the funds they transfer?

**Hon Ms Pupatello:** Let me just be clear. One of the largest costs in social services that is pooled and that municipalities pay for is the IT system your government built, which was so wildly expensive, which far exceeds any costs that were anticipated, and you actually shared 50% of the costs with municipalities.

Let me suggest to this member that he was a minister at the cabinet table when they were reviewing social assistance, when that government created workfare. They actually created a system that prevents people from getting a job. That's what people wanted when—

*Interjections.*

**The Speaker:** Thank you. The member from Oak Ridges.

*Interjections.*

**The Speaker:** It seems to me that the only way I can—

*Interjection.*

**The Speaker:** Order. You were not able to finish that question, no. The only way I can get some order is to maybe start naming some members. I will start warning them, and naming them.

A new question.

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### AUTISM SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Children and Youth Services. The Provincial Auditor's report shows that your autism program is in complete chaos. Some 1,200 kids were on a waiting list at the end of March. Children who got some IBI service were regularly shortchanged the hours they were promised. Some \$16.7 million that was budgeted for the program was never spent, some of that money under your government. The auditor also said your ministry does not have adequate oversight procedures in place to ensure that providers are spending funds to assist children and their families. Today we learned that an internal review that you ordered some six months ago has not been delivered and no one seems to have any idea when it will be completed.

I ask you, Minister, can you explain to families with autistic children why it is that you have no idea what is going on in this program and why they are not getting the IBI treatment they need?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I would like to thank the member for the question. I'd like to thank the Provincial Auditor for his report, and we will look at the recommendations very seriously.

Our government supported the Provincial Auditor going in because we knew there were problems with this program. We knew that kids were waiting. We knew that children with autism were on waiting lists, and languishing on waiting lists that did not qualify for IBI. We have made changes even before the Provincial Auditor's report. The member opposite knows very well that I supported the Provincial Auditor going in. I was asking simple questions and not getting any answers. I was just as appalled as the member opposite.

But we didn't wait for this report. We have already gotten started in fixing the problems. We have already standardized the reporting procedures so that the wait lists will be standardized across the province. We are reaching 20% more children with autism under the age of six with a new investment of \$10 million for IBI therapy. We've hired 40 more to date. We have also doubled the number of transition coordinators, from 13 to 26, to help

children move smoothly from preschool programs into schools.

We supported the Provincial Auditor coming in. We support transparency.

**Ms Martel:** What the auditor made clear was that after a year in government this minister has no idea what is going on with this program in her ministry. That's the reality. For example, the Provincial Auditor reported that there were 1,200 children on a waiting list at the end of March, double the number of children actually getting service. Yet one of your staff members told the media today that it's not 1,200, that it's hundreds more than that.

The Provincial Auditor made some very important recommendations. Instead of implementing those recommendations, you have announced that you are going to have another review, the end of which we might see some time next spring.

Here is a report from the Ombudsman that was released in June. Here is the report from the Provincial Auditor that was released last week. Instead of ordering another review, instead of stalling and delaying even more, why don't you implement the recommendations from these two people and actually change the system so children can get the IBI service they need?

**Hon Mrs Bountrogianni:** It's very interesting how this member is misinterpreting everything I have said. She asked for me to support this and I wholeheartedly supported the Provincial Auditor going in. This review was in place when we announced the new strategy.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Member for Nickel Belt.

**Hon Mrs Bountrogianni:** This review is not a response to this Provincial Auditor's report. Everything I'm doing in this new ministry has an evaluation component to it. For the member opposite—

*Interjection.*

**The Speaker:** Member from Nickel Belt, I'm going to warn you.

**Hon Mrs Bountrogianni:** For the member opposite to insinuate that the review is in response to a report that was just tabled last week, Speaker, is disingenuous at the most.

This evaluation component has been in place for some months. The member knows very well that these evaluations take time. In the meantime, I'm going to take a look at the Provincial Auditor's report and implement the recommendations and take them very seriously.

The member knows very, very well that this government supports transparency. That's why we sent the Provincial Auditor in, and we'll do it again for any program that we are suspicious of having been mismanaged in the past.

**The Speaker:** Member for Peterborough.

*Interjection.*

**The Speaker:** Member for Peterborough.

*Interjection.*



**The Speaker:** Member for Nickel Belt. I'm naming the member for Nickel Belt. Order.

*Ms Martel was escorted from the chamber.*

### ASSISTANCE TO FLOOD VICTIMS

**Mr Jeff Leal (Peterborough):** My question today is for the Minister of Municipal Affairs and Housing. I'm concerned that there is some misunderstanding regarding the Ontario disaster relief assistance program and how it applies to Peterborough.

An article in the Peterborough Examiner of November 16, 2004, appears to be unclear on the process of how flood relief cheques will be issued by the province to the flood committee.

Minister, you will remember the Peterborough Examiner editorial of July 21 which stated that home and business owners can be covered for 90% of the eligible costs under the ODRAP program. Can you please inform my constituents how the program works?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Yes, I would be very pleased to set the record straight.

As the member knows, to date we have provided \$8.5 million to the city of Peterborough and the county, and the three adjacent municipalities. These advance payments are for municipal emergency cleanup, infrastructure repairs and early assistance to the victims of recent floods.

The ODRAP program has been around since 1965. It provides financial assistance to residents, farmers and small business owners who have sustained losses as a result of an occurrence like the flood this past summer. Under the program, the province will contribute up to \$2 for every dollar raised, to an amount necessary to settle all the eligible claims—up to 90% of all eligible uninsured private costs. I know that the relief committee has raised \$3.2 million so far. So all of the victims will be receiving the maximum amount that's available under the program.

**Mr Leal:** Thank you so much for setting the record straight. It certainly supports Mayor Sutherland's comment that, "the province has been phenomenal.... We've had our issues with the province in the past, but this is not one of those times." Mayor Sutherland understands that when the people of Peterborough and the surrounding area needed the province to respond quickly, the McGuinty government stood up to the plate—not a johnny-come-lately.

Minister, please inform my constituents how the McGuinty government and the Peterborough area flood relief committee have worked together to assist those members of my community to recover from this disaster.

**Hon Mr Gerretsen:** I'm very pleased to say that immediate action was taken. As a matter of fact, within three hours of the occurrence happening last July, Minister Kwinter and Dr James Young, the commissioner of emergency management, arrived on the scene in Peterborough. On the same day that the disaster relief

was applied for by the municipality, I was personally on hand to give them the down payment cheque of \$5 million.

To date, over \$2 million has been sent to something like 3,100 households, farms and small businesses. The Peterborough area flood relief committee has now adjusted all the claims, which are \$9.4 million, and as of November 18 will have completed its fundraising efforts, estimated to be a total of \$3.2 million. As a result of the committee's efforts, final cheques will be issued to all eligible victims by the end of November.

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### PIT BULLS

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question for the Premier, if I can break in on his conversation. As the Premier around the cabinet table, you have ultimate responsibility for any legislation that you bring forward and table in this House. As such, I think you have the responsibility to respond to questions. You tend to refer them on a frequent basis, even if a minister has not done a good job.

I have a question dealing with a public safety issue, which the Premier has declined to respond to up to this point in time, and that's the need for real and meaningful dangerous dog legislation in Ontario, not the meaningless fluff put forward by the Attorney General to get him face time on the television networks. Premier, will you stand up today and indicate to this House that you will withdraw this terrible piece of legislation, this flawed piece of legislation, and introduce real, meaningful, effective dangerous dog legislation in Ontario?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the Attorney General will be very pleased to take that question.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** "A weight has been lifted from my shoulders knowing that this legislation will reduce the chances of someone else being viciously attacked by a pit bull, as I have.... I commend"—the government—"for taking action and banning this particularly menacing breed of animal across Ontario," said Darlene Wagner, a letter carrier in Chatham who lost her right ear and broke both wrists as a result of an attack by two pit bulls. That's why we're doing that: to prevent further incidents like this.

**Mr Runciman:** We know how phoney this minister is. We saw it on CityTV when they asked him to point out a pit bull. He pointed to one that he had been trained to point to, and CityTV had changed the face. So he didn't know, and that's a fact. He doesn't know because he didn't consult, he didn't talk to anybody. He didn't talk to experts. He has no idea—

*Interjections.*

**The Speaker (Hon Alvin Curling):** I'm going to warn the Minister of Health, the Minister of Education and the Minister of Public Infrastructure Renewal. I need order in this House.

**Mr Runciman:** Their main criterion is what looks good on the nightly news, not what makes sense, what really works. That's the case in point here. I ask the minister to stand up, pull back from this, talk to all of the organizations, all of the experts in this area who are opposed to this and say it's bad legislation. What happens if we have a spate of Doberman or Rottweiler attacks? He is not dealing with dangerous dogs. That's what we're concerned about—dangerous owners. He's not dealing with how you fund this, how you enforce this. I ask the minister to pull back—

**The Speaker:** Thank you.

**Hon Mr Bryant:** We have consulted with all those groups, and we've heard from them. I understand the member seems to be getting some opposition. The legislation the government "is proposing makes our playgrounds, sidewalks and neighbourhoods safer.... It is clearly in the best interest of public safety and it will help to protect our officers who face these vicious animals when carrying out their duties." Who said that? Chief Julian Fantino.

#### ASSISTANCE TO DISABLED

**Mr Michael Prue (Beaches-East York):** My question again is to the Minister of Community and Social Services. Yesterday, I asked you what I thought was a very simple question, so I'm going to try it again today. On October 21, you assured this House that you would review the Chenier case for a sales tax rebate on the new van to transport their disabled child. My executive assistant has been in constant contact with your special assistant Dave Momotiuk on the following dates: October 13, October 18, October 21, October 28, November 2 and again today. In fact, I wrote to you directly on October 28 to reinforce what was being said. You have yet to respond. You have yet to live up to the word you gave this House. I am asking you today. Instead, your office has sent Mr Chenier back to the March of Dimes. This is not what you promised to do on the 21st. It's not what you agreed to do in this House. I'm asking you again, are you prepared to review this issue yourself and make a decision on behalf of this family?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I'm very happy to once again address this issue. What we did was improve the home and vehicle modification program to actually expand the program to include, for the first time in Ontario, assisting families with children with disabilities. That's very important, because we need to expand services to all Ontarians who are vulnerable and need help.

When this particular member asked a question in the House, the reason his office has been in such contact with my special assistant is because our office keeps calling this member for more information that apparently he doesn't want to divulge. So we went through our eastern MPP, our own Jean-Marc Lalonde, to actually get the name of the family. My eastern office for the region

actually called the family directly. What we understand is that the family was told not to call the March of Dimes, in fact, to try to make this a political issue, which is really a shame, because what I see again in this House is that we want to help people. We need to understand pieces of information. They may actually still qualify for the tax rebate. That's why information is so important.

**Mr Prue:** Madam Minister, I don't need a lecture from you, but I think maybe you need to give a lecture to Mr Momotiuk to actually do the job that you've hired him to do.

But I want to ask you another question, because I heard the Minister of Consumer and Business Affairs today talking about the new complaints system. I want to send this complaint to Mr Chenier and I want you to tell him whether he should answer the following questions:

Who has given false information on the Web site that he relied on? That's question number 4. I think maybe, you know, the government has some responsibility.

Question number 9: "Briefly describe your concerns about the business." They advertised a product that was not available.

Number 10: What do they want the government to do, or the business to do? "Honour your commitment as advertised"—I'm going to suggest he write that.

If this is good enough for the businesses, it should be good enough for your government, and you should do the right thing. You should apologize to him and you should take the action that you expect business to do.

**Hon Ms Pupatello:** What's really critical when we're trying to deal with a tax credit program is that there's some basic information we need to have, basic information like family income. That's why we were asking this MPP to give us information to allow us to contact the family, which we eventually did on our own anyway. What we do know is that this family may well qualify not just for the program of tax credits that still exists to some extent, but also through the March of Dimes. This ministry is there to help people in need. What we need is information—contact information, income information etc—that we repeatedly asked for. I'm not going to play games and drag a family through this House, because we want to get to the bottom of whether they would actually qualify for help. That's what we've done and we will continue to do, regardless of where they come from.

**The Speaker (Hon Alvin Curling):** That brings us to the end of oral questions.

**Hon Jim Watson (Minister of Consumer and Business Services):** On a point of order, Mr Speaker: Today in the Hamilton Spectator I have one quote—

*Interjections.*

**Hon Mr Watson:** I'm sorry, Mr Speaker. Howard said, however—

*Interjections.*

**The Speaker:** Order. Again, I rule on points of order, not you.

First, I couldn't hear the member.

*Interjections.*



**The Speaker:** What you raised wasn't a point of order. Are you asking for unanimous consent about—would you state it, please?

**Hon Mr Watson:** Given what I just read, I'd seek unanimous consent that Bill 70 be discharged from the standing committee, with third reading this afternoon and a final vote at 6 pm this evening. Clearly the NDP indicated they were not being obstructionist, so I'd like to—

1510

*Interjections.*

**The Speaker:** Order.

I think what I heard is that you're asking that Bill 70 be discharged from committee. I didn't hear anything else. Is that what you're asking for?

**Hon Mr Watson:** That it be discharged from standing committee, with third reading this afternoon and the final vote at 6 pm this evening. This is the same motion the NDP claimed they were not trying to obstruct.

*Interjection.*

**The Speaker:** Are you speaking to the same motion?

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, on a point of order—

**The Speaker:** I have a point of order I'm dealing with now. I am dealing with a point of order, please.

I think, when you asked for unanimous consent, I heard a no.

*Interjection.*

**The Speaker:** Do you have a point of order? Okay. It's time for—

*Interjections.*

**The Speaker:** Order. Could we get some order here, please.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Mr Speaker, on a point of order: Does Hansard record that it was the NDP who said no to the unanimous consent motion?

**The Speaker:** That's not a point of order. You should know better than that.

*Interjections.*

**The Speaker:** Order. I'm going to go to petitions, and I'll recognize the first person who will stand up, not who is standing.

## PETITIONS

### PIT BULLS

**Mrs Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas aggressive dogs are found among any breed or crossbreed, and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and

legislation encouraging responsible ownership of all breeds,

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead, implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds."

I affix my signature to this.

## CHIROPRACTIC SERVICES

**Mr Howard Hampton (Kenora-Rainy River):** I have a petition to the Legislative Assembly of Ontario.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

This has been signed by over 300 residents of Ontario, and I affix my signature as well.

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I send this to you by page Savannah.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have about 500 names from the Markdale Chiropractic Centre and it's to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I've also signed this.

**Ms Marilyn Churley (Toronto-Danforth):** I have a mere few hundred of the literally hundreds of thousands of petitions that have come in on this subject, and you're hearing some of them today. It reads:

"To: Legislative Assembly of Ontario

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I will sign this petition because I fully support it.

#### REFUNDABLE CONTAINERS

**Mr Tony Ruprecht (Davenport):** I have an interesting petition. I know that you too will agree with this

one. It's to this assembly and to the Minister of the Environment.

"Whereas we find lots of pop cans and beer bottles in our parks and children's playgrounds;

"Whereas it is, therefore, unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill" sites "every year instead of recycling them;

"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

"Whereas the province of Quebec already has legislation obligating the vendors to accept the refund on all pop drinks, whether bottles or cans;

"Therefore, we, the undersigned, strongly urge and demand that the Ontario government institutes a collection program that will include all pop drinks, bottles of beer, wine, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

Since I wholeheartedly agree with this petition, I will certainly sign it.

#### LANDFILL

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** These people are appealing to the Liberal government to halt Toronto garbage coming to Haldimand county.

"Whereas the new Adams Mine Lake Act—as of June 17, 2004—amends the Environmental Protection Act to prohibit waste in a lake; and

"Whereas in the act, 'lake' results from human activities, and directly influences or is directly influenced by groundwater; and

"Whereas Edwards landfill is to be 15 acres excavated 29 feet in a wetland/slough forest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Halt the Edwards landfill site excavation."

I agree with the 1,500 people who have signed these petitions, and I sign my name.

1520

#### CHIROPRACTIC SERVICES

**Mr Rosario Marchese (Trinity-Spadina):** I have a couple of hundred names attached to this petition.

"To the Legislative Assembly of Ontario:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be



forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I support this petition and I will sign my name to it.

### ANAPHYLACTIC SHOCK

**Mr Kim Craiton (Niagara Falls):** I'm pleased to read the following petition:

"To the Legislative Assembly of Ontario:

"Whereas there is no established province-wide standard to deal with anaphylactic shock in Ontario schools; and

"Whereas there is no specific comment regarding anaphylactic shock in the Education Act; and

"Whereas anaphylactic shock is a serious concern that can result in life-or-death situations; and

"Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

"Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

"Therefore be it resolved that we, the undersigned, request that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan."

I'm pleased to fix my signature to this petition.

### VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Waterloo-Wellington):** I have a petition given to me by David Anderson, who is a councillor in the town of Minto. I want to thank him for circulating this, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

It's signed by a significant number of my constituents. I, of course, have signed it as well.

### CHIROPRACTIC SERVICES

**Mr Michael Prue (Beaches-East York):** I have the following petition:

"To the Legislative Assembly of Ontario:

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Whereas those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments; and

"Whereas elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to the government of over \$200 million in other health care costs; and

"Whereas there was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

It's signed by approximately 150 people, mostly from the Barrie area. I am in agreement and I affix my signature thereto.

**Mr Jeff Leal (Peterborough):** It's to the Legislative Assembly of Ontario, and it's regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a

cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

**Mr Norman W. Sterling (Lanark-Carleton):** I have a petition from 2,601 individuals in the riding of Lanark-Carleton regarding chiropractic services in the Ontario health insurance plan.

This petition is similar to others we've heard. It talks about 1.2 million patients who use chiropractic service and now will no longer be able to get it. Those with reduced ability to pay, including seniors, will be forced to seek care in already overburdened family physician offices. It talks about the costs to the government overall being over \$200 million, and the fact that there was no consultation with regard to it.

They ask the Legislative Assembly to reverse this decision announced on May 18 in the provincial budget, and to maintain OHIP coverage for chiropractic services.

I have signed that petition.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon Alvin Curling):** Pursuant to standing order 37(a), the member for Simcoe North has given notice of his dissatisfaction with the answer to his question given by the Minister of Transportation concerning photo radar lobbies. This matter will be debated at 6 pm.

#### OPPOSITION DAY

##### LIBERAL CAMPAIGN PROMISES

**Mr Robert W. Runciman (Leader of the Opposition):** I move that the Legislative Assembly call upon the government,

To fulfill the promises made by Liberal Party leader Dalton McGuinty during the 2003 election, according to the original cost estimates as provided by the Liberal Party of Ontario.

**The Speaker (Hon Alvin Curling):** Mr Runciman has moved opposition day number 3.

**Mr Runciman:** I appreciate the opportunity to participate in what I think is a very timely debate, given the fact that the Canadian Taxpayers Federation has taken the government to court. Those proceedings began this week in terms of the violation of the signed pledges made by the Liberal Party of Ontario and, more specifically, the leader of the Liberal Party, Mr McGuinty, during last fall's campaign. Mr Speaker, I'm sure you recall that

event. You may even have attended. I'm not sure. I think I saw your face in one of those pictures, although you may not want to have it publicly acknowledged at this point. If that's the case, I apologize.

Given what's happened with respect to the failure to meet those signed commitments, those signed pledges, I think we've heard in the House, for some months now, the Premier and his ministers stand in their place and defend breaking these signature promises, these signature pledges, pointing to the fact they were facing a financial situation that was unexpected. We can debate that until the cows come home.

We believe strongly on this side of the House that we would have balanced the budget. The Liberals took office and spent like Liberals. They increased spending by over \$4 billion in the six months they governed during the last fiscal year.

1530

But in any event, that's an excuse they continue to use, and they've gained some mileage. The media have accepted it as the gospel, even though it is not a fact. The real fact is that the Conservative Party, if we'd retained power, would have had another balanced budget.

The other element of the signed pledge which Mr McGuinty and his cabinet colleagues and other members of the Liberal Party refuse to talk about, refuse to acknowledge, refuse to respond to questions in this House—and we saw another example of that today when I asked the Premier a specific question about the second element of that signed pledge, and that was the commitment that if indeed the government concluded that for whatever reasons they had to raise taxes, they would go to the people, they would explicitly request the support of the people of Ontario for any tax change, any tax increase. They can talk about the unexpected challenges they faced, and you can accept that or not accept that. But if you look at the other element of that signed commitment, that signed pledge to hold a referendum, they have no excuse. They have no justification for not fulfilling that promise.

Why did they not call a referendum? Why did they not keep that promise? Why did they not give the voters of Ontario an opportunity to have input, have views expressed on that very critical issue? They talk about democratic reform. They get up on their high horses day after day: “We believe in democratic reform. We believe in MPPs having the ability to speak out.” But we see the lie put to that every day by their own MPPs getting up and speaking the government line, not defending cuts in health care to hospitals in their own ridings; getting up again and spewing the government line, not standing up acting as independents; following the so-called direction, which proves to be not much direction at all with respect to having freedom to operate and freedom to represent your own constituents within the Liberal Party. That's just not happening.

I want to talk about this issue because I think it's very important. The Liberal government has imposed this very significant tax hike on Ontario citizens, breaking a sig-



nature promise. A record tax increase in the province of Ontario, yet they failed miserably to consult, and breaking another very important promise. The lawyers who are representing the government in this lawsuit process are government lawyers. I'm not sure what they're paid. We know they both are paid well over \$100,000 a year. We know there are other government lawyers supporting them. I think the average is around \$195 an hour for them to defend the Liberal Party. The taxpayers are footing the bill for the Liberal Party to defend breaking two signature promises, two key promises, that got them elected to government. That's shameful.

The ministers and the Premier and his lackeys in the back rows all laugh at these kinds of issues, while the Premier sits up in Rosedale in a \$750,000 home paid for, supposedly, by the Liberal Party of Ontario. The reality is, we know those are donations to the Liberal Party of Ontario, and people who make those donations get tax receipts, tax rebates for up to 75% of the money contributed to the Liberal Party of Ontario. So I think we can make a very valid argument—certainly the Liberals did it when they were on this side of the House—that the people of Ontario and taxpayers you're imposing this tax on paid for those posh quarters in Rosedale that the Premier of Ontario now inhabits. Is that right? Is that right? No, it's not right.

The Premier of Ontario, who imposes this heavy, heavy tax on Ontario citizens without giving them the right he promised them to vote on it, also goes to the barber and spends \$50 for a haircut. This is not a Premier. This is a president. He thinks he's a president. He's behaving in a presidential manner. That's wrong and the people of Ontario know it's wrong.

He said he was going to support working men and women, working families in this province. He is not supporting working men and families. He's imposing a heavy tax burden on them and throwing out a solemn commitment he made to consult them, to get their advice and to get their input.

This government and this Premier do not believe in democratic reform. What they believe in is surface politics. We see it in this pit bull bill. This is a joke—a sad, sick joke, especially on the families who have suffered attacks from vicious dogs—a very sick joke. This minister should be resigning over this legislation. We should be dealing with dangerous dog attacks, not responding to what's going to look good on the nightly news. The Attorney General is renowned for caring about what looks good on the nightly news, not meaningful public safety legislation.

We saw it in the "bring your own booze" legislation where the consumer minister, gets up—and they both issued press releases—saying, "MADD supports us. All of these organizations support us." In reality, they didn't even consult them. They did not consult them. They didn't talk to them at all. They told them, "This is it. It's a fait accompli, but we're going to put in a press release that you support it."

The Attorney General did the same thing with pit bulls. Now we hear organization after organization,

humane societies, veterinarians, totally disagree with this. They think it's wrong-headed. That's the growing trademark of this Liberal government, seat-of-the-pants operations. They're totally incompetent. The Premier doesn't have the guts, the intestinal fortitude, to stand up and get rid of a minister like that.

Withdraw that terrible legislation and do the right thing.

**The Speaker:** Further debate?

**Ms Andrea Horwath (Hamilton East):** It's a pleasure to debate the motion brought forward by Mr Runciman. I can tell you that we in the third party were shocked as well with regard to the performance of this government, with regard to its broken promises and its weak leadership that we've seen so far in Ontario. We see it every day here in the Legislature. Certainly this motion is one that's well timed in terms of the kinds of things we have to deal with on a regular basis.

I want to make a couple of initial statements in regard to some quotes my leader has made in this Legislature with respect to this issue. One speaks directly to the way people in Ontario are receiving this government's performance. "During the last 12 months, ordinary Ontarians who chose change have learned the hard way that when it comes to weak leadership, excuses and broken promises, Dalton McGuinty takes the cake," NDP leader Howard Hampton said. "During the election, he promised a better deal for ordinary Ontarians, better services and no new taxes. He said we could have our cake and eat it, too. But now all he's got to say to all those Ontarians who voted for change is, 'Let them eat cake.'" That's what Howard Hampton said. Quite frankly, that in a nutshell really speaks to the problems the people of Ontario—the people of Hamilton East—are telling me they have with this government. The bottom line is, 231 election promises broken is just not enough.

Not to raise taxes? We know that one went out the door right away. We know that, in one short year, the McGuinty Liberals broke faith with Ontario voters. That's all we can call it: they broke faith. They broke faith on very many levels, not only in terms of particular policy areas they had promised they were going to go in, but then also major promises, major commitments that they made around the whole system of taxation and whether or not regular ordinary Ontarians would be seeing an increase in taxes.

Many of these issues came to light for me probably right after the election took place in October. But if you go through the list, which I don't happen to have in front of me, but hope to within the next little while, it starts off very clearly with the reversal, the rollback of the decision on the Oak Ridges moraine.

I come from a community that's now looking at current legislation. Granted, there are many good pieces to that that are coming forward, but really when the first step on an environmental issue is a misstep, it gets people in communities across the province worried about the real commitment this government has to environmental issues. When thousands of houses are given the green



light on the Oak Ridges moraine, people just shake their heads in wonderment, trying to figure out what exactly the government meant when, only a few short months prior to that, they were promising to halt development on the Oak Ridges moraine.

What about tolls on the 407? That was another key promise that was broken.

1540

**Mr John R. Baird (Nepean-Carleton):** Mr Speaker, on a point of order: I'd like to ask for unanimous consent to discharge section 1 of Bill 70 from committee and to vote on it immediately so that in Hamilton, the consumers can be protected. We can make it the law right now if we could have unanimous consent.

**The Speaker:** Do we have unanimous consent? No.

*Interjections.*

**Ms Marilyn Churley (Toronto-Danforth):** Mr Speaker, on a point of order: I would ask for unanimous consent for the Legislature not to sit tonight, in view of the fact that you, Speaker, are holding a dinner for all female members of the Legislature. I'm on duty in here tonight; one of my bills is up and I have the lead on it. I think that this is important to women, and I would ask for unanimous consent so that all women in this chamber are free to attend.

**The Speaker:** Do we have unanimous consent?

I heard a no.

*Interjection.*

**Ms Horwath:** I just wanted to continue my—

**Hon Jim Watson (Minister of Consumer and Business Services):** Mr Speaker, on a point of order: I want to give another opportunity to the member for Hamilton East, that we bring Bill 70 back from committee, that it be debated at third reading and the vote be held at 6 o'clock this evening. I think that's a fair suggestion.

**The Speaker:** Do we have unanimous consent?

*Interjections.*

**The Speaker:** No.

Order. It seems to me this matter is—

*Interjections.*

**The Speaker:** Order. The minister has raised it and many people have raised that same matter. Maybe I'll ask the House leaders to get together and work out some agreement so we can settle it, rather than disrupting the House from time to time on these matters.

May I then ask the member from Hamilton East to continue her debate.

**Ms Horwath:** Nonetheless, back to the matter at hand, which is the issue of the many broken promises of the Liberal government and the motion that was brought forward today, on opposition day, to deal with some of the issues the opposition thinks are important. Of course, one of those is all the broken promises of the Liberal government.

I was starting to say, before I was interrupted by the various points of order that came forward, that one of the next key election promises that was broken by the Liberal government was the promise they had made on the 407 tolls. Quite frankly, that is still an extremely frustrating

and sore issue for people. There have basically been no real efforts, no real attempt, no real action in regard to making sure that that promise had been kept; in fact, it's a complete reversal in regard to whether or not the government was actually going to be able to implement any kind of real control over the rapidly rising tolls on the 407.

Of course, the list is massive, and I'm just going to continue to bring up various issues that have arisen, affecting my community and others. One of them is the issue of the hydro rate cap, and that's another one that came up very quickly, almost immediately after the election. The government didn't make good on that promise and still hasn't made good on that promise. In fact, right now, in Hamilton East, we have calls coming to my constituency office on a regular basis in regard to people's inability to pay the rising costs of hydro. Rather than actually address the substantive concern that people have with this issue, the minister continues to go down the path of privatization of this sector, continues to increase the amount of money that regular Ontarians are paying for hydro and, in fact, not deal with the reality that there needs to be some real examination and review of the Ontario Energy Board's ability to make regulations that require hydro corporations to deal fairly with people who are in low-income situations and are unable to keep up with their bills, and who are then slapped with a thousand different charges, fines, reconnection fees and security deposits. So they're not only having their initial difficulty in terms of not being able to pay the presenting bill, but then all of a sudden they have enormous amounts of extra charges heaped on their account. It really becomes absolutely impossible for people to make those payments and to dig themselves out of the hole.

Yes, certainly at the beginning people might have some problems with paying their bills, and that's something that is regrettable. But to then further penalize people, to further dig them into a hole, to further push them into a corner, is just unacceptable. It's just not an appropriate way to deal with a very difficult situation, when we know that particularly people who are most vulnerable, people who are most challenged in terms of their ability to pay, are the ones who are getting stuck with the greatest amount of charges and the greatest number of requests for security deposits. That's the case with hydro and that's certainly the case with gas. Quite frankly, it's something that needs to be addressed by this government.

But that's not all when it comes to broken promises, as we all know. We know that there was also a promise made around insurance rates. I believe that was a promise that people really did expect some action on. Unfortunately, it's yet another promise that was broken. I know that as a result of just the fact that there's been inaction by the government on this particular issue, the rates are up; they're up everywhere. The government will continue to come into this House and claim that there are all kinds of people who have reductions in their insurance rates. I'll tell you that I haven't met a single one. I have not met



a single person, personally, who has come to me and said, "My auto insurance rates are down. What a great thing the government has been doing on auto insurance rates." Quite frankly, if there's a list of Ontarians whose auto insurance has gone down significantly with this government's inaction, I think it will be a very big surprise to the vast majority of members of this Legislature. Nonetheless, that's just another broken promise and another thing that has not been accomplished by the government.

We can talk more and more about the various pledges that this government has broken. How about the one that we talked about earlier, that we've talked about several times, in fact, and that we've seen petition upon petition on: "We're going to improve the health care system"? We heard from our leader today during question period that injured workers are now making significant comments around the fact that their ability to obtain the health care services they need to deal with injuries that are workplace-related cannot be afforded in the same way it could be afforded before. Why is that? Because, with no consultation, with no discussion, with no opportunity for the communities across this province to have any say on the matter, arbitrarily, the government just decided they were going to delist chiropractic services. That was done, from my perspective, on the backs of people who are not able to pay for those services, on the backs of people who are trying to take proactive health care measures in their own personal lives, proactive health care measures like chiropractic and physiotherapy. These things are problematic. That's yet another broken promise that this government has made.

There are many, many more. I don't have the list in front of me, but I think about the P3 hospitals, which is another one. There's quite a lot of evidence that the people of Ontario are extremely disappointed and unhappy with the way things are happening in the province and with the number of broken promises this government has continued to make. It's extremely disappointing. I think when the people of Ontario thought they were choosing change, they didn't realize that what they were really choosing was a government that had no real commitment and no real desire at all to keep their promises to the province.

1550

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** Today's date is November 16. Just a little more than a year ago, our government was asked, and given the privilege and responsibility, to form a government and fulfill commitments we made during an election campaign to the people of this province. I know my colleagues on my side of the House will be prepared to be judged by the citizens of this province, come election day.

It certainly is the job of opposition to oppose, and we know that's what today is about: It's opposition day. But it is also the responsibility of the opposition to inform themselves, to be accurate with what has occurred, and not to be disingenuous with what our government has

accomplished. So although my friend did not have a list in front of her and was unable to talk about many of the accomplishments of our government, my colleagues on the opposite side will perhaps be pleased to know that I do have a list, and I look forward to spending the next few minutes talking about what our government has accomplished over the last year and the key priority areas that our government has worked on for the last year.

I want to start with one of our priority areas: education. We committed—and I look at the language of the opposition day motion—to fulfill the promises that we've made. What did we promise? We promised to increase student achievement in literacy and math. And today, more than 7,500 elementary teachers began the year with specialized training in reading and math instruction as part of our government's effort to boost student literacy and numeracy in those all-important early grades.

What else did we commit to? We promised that this province would have smaller class sizes. And today, school boards have hired more than 1,100 new teachers as a first step to reducing class sizes in the province. We also have 1,300 more schools that have smaller class sizes in the early grades.

What else did we commit to in the election campaign? What other promises did we make? We said we would bring peace and stability into our schools. The Ontario College of Teachers will be revitalized and depoliticized with the actions of our Minister of Education, but with a clear majority of classroom teachers on the college council.

We have also started treating teachers like the professionals they are, with responsibility for our future brightest minds in this province, by the Premier's Awards for Teaching Excellence. We are celebrating the contributions of exceptional teachers, principals, vice-principals, educational support workers in all of our classrooms, in all of our schools across all of this province in all of our communities.

We committed to and we have repealed the acrimonious PLP. Legislation to repeal the professional learning program was introduced in the spring and, if passed, this Professional Learning Program Cancellation Act, 2004, would remove the requirement for teachers to complete 14 courses every five years to maintain their Ontario teaching certificates. The ministry will work with teachers on an entirely new approach for professional development, because we respect teachers as professionals and we know that they want to and have always conducted and undertaken professional development.

As part of a new co-operative approach to making progress in our schools, the education partnership table has been launched and is continuing to provide diverse insights from the education sector on all provincial education policy early in our government's policy development. We go to those experts in the field who are working in these important sectors and ask them first. To hear my friends across the House talk about our lack of consultation—I think they have perhaps been asleep for the last year, because this government has certainly



spoken to those who are expert in the area and asked for that information.

What else have we accomplished in our first year? The list is so long, I'm concerned that I will not in the time allocated have a chance to go through everything I want to talk about. We have also helped those students who need it the most with an additional \$65 million through the learning opportunities grant, which will improve education achievement for students from low-income or single-parent families, with low parental education, or those who have recently settled in Canada. We know that students in those families need special help. We made those commitments in the election campaign and we have met them.

We have also committed and have met the commitment to support our French-language schools. French-language schools began this year with an increase of \$30 million to help offset the additional costs and challenges that their boards face in meeting the needs of a diverse student population.

We committed to listen to Dr Rozanski, and 80% of education investments for both stability and student success recommended by Dr Mordechai Rozanski will be met by the end of this year. Those are some of the commitments that we have undertaken, many of the commitments and promises that we have kept in this first year, and I say, we are only just beginning.

I want to turn to another very important area for our government, and that is the area of health care, and talk a little bit about what we have done in our first year. We have come forward with a sound commitment to universal health care, to a sustainable health care system, one that will be responsive to the needs of this generation and the next, that will be there, that will focus on health and improvement of health for all Ontarians. That is a new day in the transformation of health care.

We said we would make sure that we committed to medicare, and that it was here for future generations, and to improve and protect universal health in Ontario. We passed the commitment to medicare act. To address the number one killer in Ontario, we are working to make public places and workplaces in Ontario smoke-free within three years, including raising tobacco taxes.

We also know that for our system to continue into the future, we need to make sure that it's sustainable and that it's accountable. To improve accountability in the health care system and to provide better service to the public and to all of our constituents in all of our communities, we announced our support for the National Health Council, and we have created and will create our own Ontario health council.

We committed to shorten waiting times. To shorten those waiting times, we are investing public dollars in new public MRI machines, buying back the old MRI machines and extending their hours to reduce wait times. We promised we would do it, and we are delivering on that. To shorten wait times and improve access, we have announced over \$1 billion in additional hospital funding across the province. To ensure hospitals improve patient

services and increase accountability, we are working with hospitals and making them more accountable for the public tax dollars they spend.

We want to make sure that our patients are safe, and we called for an infection control audit in our hospitals to prevent infectious disease from being transmitted between patients.

We're respecting nurses. To ensure better working conditions for our nurses, we have invested \$14 million in patient lifts and adjustable beds.

We want to make sure that the health of our youngest citizens is the best that it can be, and so we are providing free vaccines for high-risk children under the age of five.

To improve patient care, we've invested \$50 million in Ontario hospitals to create more full-time nursing positions. We know that nurses are the heart and soul of our health care system, and we are making sure that our nurses are not injured and that our nurses in this province have full-time jobs.

We want to make sure that our hospitals don't face the pressure they have in the past. So to reduce the pressure faced by them, we're providing \$600 million over four years to support primary care and create 150 new family health teams to provide families with the services they need when they need them and to make sure that that service is in each of our own communities. We are driving the care into our communities where people live and work, where children need the care, whether it's night or day. We need to make sure that that care is in each of our communities. Those are the very commitments that we made in advance of being here.

To make sure that Ontarians who are at risk of getting a stroke get care, we've opened four more stroke care centres and six more secondary clinics. To ensure our hospitals are adequately staffed, we created 800 new full-time nursing positions in small and medium-sized hospitals in Ontario. To ensure that all Ontarians get the same level of care, we banned "pay your way to the front of the line" health care. To make sure that we were prepared to deal with public and medical emergencies, we've created Canada's first ever emergency medical assistance team. To protect the privacy of Ontario patients, we've passed the Personal Health Information Protection Act.

Importantly, to ensure our public health system is ready for the next outbreak, we have appointed Dr Sheela Basrur, the chief medical officer of health, and have introduced legislation to make her the first independent chief medical officer of health.

**1600**

To ensure that Ontarians have the best health care available, we've negotiated an additional \$824 million for health care from the federal government for 2004-05.

We are very proud of the commitments we have made and met on health care, and the list goes on and on.

I want to turn very briefly to another important area—there is more and it is important—and that is getting our fiscal house in order. As we know, without a sound fiscal house in order we would not be able to meet any of our



commitments. It is very unfortunate that we inherited such an unsound fiscal house from the previous government. But I can tell you, we make no excuses. We have taken the cards that we have been dealt and we are turning this ship around. We are building a better province for the people of Ontario, a better place to live and raise our children, a better place to breathe the air, a better place to go to school and a better place to seek health care in this province.

Let's talk about what we've done in terms of finances. We've given more flexibility to municipalities to set their property tax rates—important things for the independence of our municipalities. We've cancelled the 2005 property assessment to bring some stability to the property tax system.

We've grown the economy by introducing the apprenticeship training tax credit and a fiscally responsible plan to eliminate the capital tax. We've introduced legislation to give the Provincial Auditor powers to do value-for-money audits of schools, hospitals and other broader public sector partners. Those are important things.

Most important of all, we have done something that should have been done in this province a long time ago. We have introduced the Fiscal Transparency and Accountability Act, setting new standards in government transparency, ensuring that the Provincial Auditor does have to report on the province's finances before an election instead of after, so that hidden deficits like those we inherited on the eve of an election will be a thing of the past.

**The Acting Speaker (Mr Ted Arnott):** I recognize the member for Simcoe North.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise today to speak to the opposition day motion. It reads, That the Legislative Assembly call upon the government,

To fulfill the promises made by Liberal Party Leader Dalton McGuinty during the 2003 election, according to the original cost estimates as provided by the Liberal Party of Ontario.

I don't know what those cost estimates really were, because we've heard such a wide variety of promises—broken promises and election platform promises—that it's all kind of lost now to the citizens of Ontario.

I'd like to say that I'm glad this came forward. It's interesting that we brought this opposition day motion forward on this particular day, because we know that today the taxpayers federation is in court over Mr McGuinty's signature that was put on a line during the election period last fall. We all remember that. It was the photo op, and a bunch of potential candidates surrounding the future Premier as he signed his name and said, "I will not raise your taxes. I will have a referendum if in fact I raise your taxes." Of course that's all gone now. He admits now that it was a ploy.

It's kind of a sad situation, especially from the guy who brought forward a Minister of Democratic Renewal, the pit bull man over there who's now responsible for democratic renewal, that the very person who says we need democratic renewal pulled off a stunt like that,

promised the citizens of Ontario whatever they wanted to hear, found enough votes to get elected, and now we're stuck with the guy until 2007. I do hope he sticks to that date of 2007, because I don't think the citizens can handle it much longer.

**Mr Michael Prue (Beaches-East York):** Yes, 2005 would be better.

**Mr Dunlop:** Yes, 2005 would be great, but I don't think he'd call an election right now. I think the people in Hamilton know full well what would happen. They've already indicated that in one of the by-elections.

I wanted to talk to you for a second about public safety. Today is Police Association of Ontario's lobby day, their reception day that they have here at Queen's Park. I met the guys, a group of four, early this morning. We talked about all the different issues. The one thing that came up in my conversation was the promise of 1,000 new police officers. That was part of the election platform. It was part of our platform, as well.

I wanted to talk a little bit about the cost of it because we know the Premier went out to the Ontario Association of Chiefs of Police conference. They always do these types of things at these little media events, where they can get a bit of attention from whatever political stakeholder group they're dealing with. That day they said, "We're going to commit to our plan of 1,000." First of all, it's 13 months late. I've been asking the question to the Minister of Public Safety and he's said—he's on record—that all the police officers will be in place in this term of the government. I'm assuming, and I want to put it on the record here today—there are enough people here, as well as Hansard—when someone tells me 1,000 new police officers, that means, in my opinion, 1,000 new bodies working in Ontario. That doesn't mean you're taking somebody out of an office space or out of the courtroom or out of any other facility and saying that FTE becomes a police officer. I'm talking about 1,000 additional police officers in the province of Ontario.

If you calculate the salary of a police officer today and you look at their benefits and some of the capital costs that are associated with being a police officer, it costs approximately \$100,000 a year to put a police officer on the street. Let's assume the minister's going to fulfill his commitment and he's going to phase it in, because surely he won't find the money in the fourth year to put 1,000 new police officers in. Let's say, for example, that he puts in 333 police officers next year for the fiscal year 2004-05. At \$100,000 times 333, that's \$33 million, and over three years that would be \$99.9 million for those officers. The second year he adds another 333 officers for the year 2005-06—there would be two years left at that point in the mandate—that's \$66 million. For year three, the last year of the mandate, 2006-07, because we know there will be an election, but to have all those police officers in place for that fiscal year, another \$33 million for a one-year period. So we're talking about \$199 million total. That's what it will cost somebody in the province of Ontario to put 1,000 new police officers in if you begin to phase them in this year. I would have



thought we would have started phasing them in last year, in the first 13 months of the mandate.

What is Mr McGuinty going to contribute? Thirty million dollars out of \$199 million. That leaves a shortfall of \$169 million, \$170 million. That doesn't quite add up, because he promised 1,000 new police officers. Even at 50% funding with the municipalities, he's still \$70 million short. That's the reason I think we have to look at resolutions like we have here today, because the resolution calls for the costing of election promises. We know that in policing alone, if you started to phase in the police officers that Mr McGuinty promised tomorrow, he's \$170 million short in his estimates.

He did have a fancy photo op out at the Ontario Association of Chiefs of Police about three weeks ago. But I can tell you, there wasn't a lot of excitement in the round of applause he got from the chiefs of police. I don't think they were too excited about the announcement.

Another great opportunity today with the Police Association of Ontario being here, he makes the announcement to remove option 4. Fine. We know that the Ontario Provincial Police doesn't have option 4 anyhow, but the remaining police services of the province do use option 4 and they generate revenues from it. Now we're getting a directive—it's not a regulatory change, it's not a piece of legislation. It's some kind of directive. I guess that was it today. "Please do as I say and eliminate option 4."

1610

I brought up earlier today the city of Barrie, which is just south of my riding. It's in my colleague Mr Tascona's riding of Barrie-Simcoe-Bradford. It's going to cost the city of Barrie \$750 million. Again, here we are: a fancy announcement in front of a stakeholder group, but no one knows where the \$750,000 is going to come from for the city of Barrie. What will happen? The city of Barrie will have to absorb that. Why will they have to absorb that? Because part of the directive is not to provide any funding. So the bottom line is that they used that to—

**Mr Jeff Leal (Peterborough):** You said \$750 million.

**Mr Dunlop:** It's \$750,000. I'm sorry; I correct myself. It's \$750,000 that the city of Barrie will have to replace, and that will be made up by the taxpayers.

Now we know what's happening. We know about the photo radar. Mr Takhar, of course, hasn't answered the question yet. This will be the promise; I'm predicting this: that the deal's done and it's just a matter of when it's going to be rolled out. I'm assuming the Premier and the Ministry of Community Safety and Correctional Services have used the municipalities of Ontario as a kind of a pawn in this game. He's asked them to give him feedback on photo radar, something we abolished and still believe is a tax grab. What has happened is that slowly they're going to allow the municipalities to install photo radar. We already know there's a private company in the United States working with the minister's office, drafting press releases, etc. They're going to be allowing photo radar to come back. The municipalities will be getting the revenues from it to pay for the additional police officers. It's a tax grab to pay for additional police officers.

Now they'll have to make up, as well, option 4. That's what is disappointing. It's a fancy announcement, but there's no money behind it whatsoever. The announcement today was a directive. What is a directive? I'm assuming that the municipalities or the police services across the province are obligated and committed to doing away with option 4. But it doesn't say that. He says in a press release, "I'm asking the municipalities—the police services—to do away with option 4, but I'm not going to give them one penny to go along with it."

I've spent some of my time talking about community safety, and that the upcoming photo radar—which the Minister of Community Safety and Correctional Services was completely opposed to when the NDP was in power, but today, now that he's the minister and working with the Premier, he seems to be siding with the Minister of Transportation and moving towards a photo radar tax grab here in the province.

With that, I've had an opportunity to say a few words. I know my colleague John Yakabuski will be speaking later, as well as Elizabeth Witmer and Jim Wilson. I know they'll bring a lot of really good insight into broken promises, spending that no one can understand, and how they come up with some of the numbers they come up with on the opposite side of the House. Even as recently as the economic statement here a week ago, the Minister of Finance said everything was so rosy, and yet we know consumer spending is down because this government is driving our province into a recession very slowly.

Mr Speaker, I thank you for the opportunity this afternoon. It looks like you want to get up. Maybe before I sit down I'll put one more plug in, because we will be going back to Mr Takhar's school safety bill. It includes a form of photo radar. I want to say one more time that I hope we can look at regulations and amendments to that bill that will provide for the government of Ontario to pay for the sales tax on any safety seats or equipment that are required under the legislation for children they're identifying.

I know that the Speaker who is in the chair now, the member from Waterloo-Wellington, has put a private member's bill through. I sure hope they will listen to that again. Like the double-hatter issue, he's adamant about this bill and is looking forward to some time of good debate. I hope that when that comes up, they'll look at community safety and at how they're affecting young families and the cost to young families, and actually give them back their sales tax.

**Mr Prue:** Before I start, I think we all need to be reminded what the debate is about this afternoon because people are talking, I think, around the purposes. So let's just clarify what the motion says. It says, "That the Legislative Assembly call upon the government,

"To fulfill the promises made by Liberal Party leader Dalton McGuinty during the 2003 election, according to the original cost estimates as provided by the Liberal Party of Ontario."

At first blush, this would appear to be a no-brainer. Of course people who make promises should, accordingly, be willing to keep those promises. That goes to say in



business, that goes to say in government, that goes to say in personal lives and in the interaction of person to person: If you promise to do something, you should be bound by that promise. Today, we know from the newspapers that there is a court case, involving a breach of promise or an alleged breach of promise, by one particular group against this government.

You know, I think we need to look at what promises are. Are politicians immune from what we expect from ordinary citizens? If a business person makes a promise to sell you goods or products and they do not live up to what they have promised, we say that this is fraudulent or we say that it is dishonest. I'm not suggesting for a minute—I'm not getting into the government, but that's what we say about business people. And we have remedy for that.

Indeed, this government today did a good thing. This government today put on the Web site a complaint form so that if people think they were scammed, if people think they've been ripped off, if people think the obligations that a business is supposed to have made have not been kept, they can report that to the government and they can ask for an investigation. We expect that from our business community and we expect that in our personal lives, but somehow, I think we expect less of politicians, and we ought not to do so.

The history of the world is filled with great people who have said very smart things. I'd just like to make a few quotes in three areas, some very good quotes. You will recognize some of them. One of them is surrounding promises. The second group is quotes about what integrity means, and the third one involves the importance of honesty.

Dealing first with promises, I always like to go back to the Bard; no one quite says it in the English language as well as William Shakespeare. I'm quoting from *Macbeth* here, when he says, and it's beautiful poetry too:

And be these juggling fiends no more believed,  
That palter with us in a double sense;  
That keep the word of promise to our ear,  
And break it to our hope.

That's from *Macbeth*, Act V, scene viii.

**Mr Bruce Crozier (Essex):** It's happened for a long time.

**Mr Prue:** No, it's happened for a long time, but this is 400 years ago in the English language, what the great Bard had to say about honesty and the importance of honesty and how people feel betrayed when promises made do not happen.

In the Arab tradition—and I apologize for my Arabic; maybe I should just give the translation. There's an Arab proverb I found which is kind of interesting too: "Promising and not fulfilling causes needless enmity." There's a good one. If you make a promise, whether you be a business person or an individual, whether you're talking to your son or daughter, whether you're talking to your parents when you're a teenager and promise to be home by 11 o'clock at night, that is your word. That is your bond. That is what you stand for, and you ought to

be able to live up to that. As the Arab proverb says, if you do not fulfill it, it causes needless enmity.

The second group I'd like to talk about is the issue of integrity, and there are some really good ones in here too. I really love some of these. The most famous one, again going back to the Bard—what did the Bard have to say about integrity? I think this is a quote that everybody in this room will have heard a thousand times, but it bears repeating again. It comes from Shakespeare, *Hamlet*, Act III, scene i. It's Polonius speaking:

This above all: to thine own self be true,  
And it must follow, as the night the day,  
Thou canst not then be false to any man.

1620

So if you are to have integrity, then you have to be true to yourself. You have to say what you believe yourself and what you can carry out yourself, and you have to be willing to carry that out. That was Polonius's advice to his son, and it stands the test of time.

*Interjection.*

**Mr Prue:** And to the disposition of the NDP. You've got that right, sir.

Last but not least is honesty, because I think we in government, we in politics, no matter what party we belong to, no matter what creed or what we try to say, have to be honest in all of our dealings. It is very difficult to stand up on a platform and promise to do something and then not deliver. I have been through many elections, as I know most of the members of this House have been, be it to come to this House or municipal politics or some even in federal politics. You go through the election, you stand on your platform, you make promises, and you should be willing and must be willing to abide by what you say. If your word cannot be good, then we put disrepute not only upon ourselves, but on the very institutions that we strive to serve.

Just a couple of good quotes about honesty, because there's a whole whack of stuff here, just to remind the members about what some great learned people had to say about this.

I can at least do the French one, I hope. Denis Diderot from *Le Neveu de Rameau*: «... il y a peu de métiers honnêtement exercés, ou peu d'honnêtes gens dans leurs métiers.»

For those who didn't have their earphones in, "Either there are too few professions conducted honestly, or there are too few honest people in their professions."

I would like to think that the latter is not the case in this particular House. I would like to think that the people in this House, in their profession as politicians, conduct themselves honestly, and that there are more than too few of us. We should all strive to be that way.

Sophocles went on—I won't try my Greek. The translation: "Honesty can only be proved in time." A very good and noble statement, because when one makes a promise, only time will tell whether or not it can be carried out. What we're debating here today is, with those promises, was that honesty portrayed, and is it continuing to be portrayed in this Legislature?



Other great people, a Latin proverb: "Non omne quod licet honestum est," or, "Not everything that is permitted is honest." That goes a long way to say you are permitted to say things, I suppose, that are not honest when you are out on the hustings. That is, I guess, a truism that we would like not to have happen in this House.

Last but not least, the motto of the London Stock Exchange. I think this nails it right to the wall. The motto of the London Stock Exchange in Latin: "Verbum meum pactum"—"My word is my bond." If a politician were to stand up and say, "Verbum meum pactum," or, "My word is my bond," I would respect that politician immensely, and I would respect him or her even more if they kept it. I think that's what we need to talk about in part today.

A couple of other ones on honesty from English sources. Daniel Defoe: "Ay, sir; to be honest, as this world goes, is to be one man picked out of ten thousand." Excuse me. That's not Daniel Defoe; that's Shakespeare's Hamlet.

Cervantes, in Don Quixote, said, "Honesty is the best policy." I think we have all heard that one too.

Again back to Shakespeare, All's Well That Ends Well: "No legacy is so rich as honesty."

Enough of the quotations. I mean, the English language is filled with learned sayings, literature, people of great character telling us what we need to do as individuals. Nowhere do we need to do that more than in this Legislature. Nowhere do we need to do that more than when we are representing the millions and millions of people in this province. They expect that our word is our bond, they expect that we will act with integrity, they expect that we will be honest, and they expect that if we make promises when we are out there, we will do our utmost to live up to those promises.

The election was a difficult one. It was a difficult one for members of all political parties who sought office. You know, there were four major recognized parties in the last election: the Liberals, the Conservatives, the New Democrats and the Greens. They fielded candidates in literally all of the ridings. They ran on a platform, which they asked the voters to approve. And the majority of seats went to the Liberal Party. The majority of votes did not go there, but the majority of seats went there. I accept the system as the system is at this point, until, perhaps, it is changed, starting this week. We will wait and see whether that promise, in fact, comes to light.

But it was a difficult election, and a lot of promises were made. In fact, we have regularly heard in debate and inside this House that the Liberal Party, the one that was able to succeed in winning 72 seats during the last election, made 231 distinct promises. There is some suggestion that that number might be higher, and people are finding other promises from time to time that did not make it. But has this particular party kept the promises that they made to the people of Ontario? Have they shown honesty? Have they shown integrity in terms of what they promised to do and in fact what they are starting or are in the process of delivering?

I would suggest that that has not always been the case. I'm not saying it has never been the case. I'm not going to say that you haven't done some of the things that you said you were going to do. But there have been major, major failures and backtracking in terms of what you promised to do, how you've backtracked and how you have, I think, let down those who counted on you to change the way government is practised and policies are practised in the province of Ontario. Your platform said it all: "Choose change." People chose a different reality than the ones they had under the previous Conservative government. They chose, I think, a kinder, gentler approach to politics. But they also expected that you would do your utmost to keep the promises that you made, and some of them were huge on the public eye. Some of them were huge to the people of Ontario who were looking most seriously for major changes.

I want to suggest to you that there were 10 really bad things that you have not kept up with. And I want to suggest there were 10 broken promises that, to me, rank right up there, and are why this particular motion is being brought forward by the official opposition.

In my mind, the 10 are:

(10) You promised to lower Highway 407 tolls.

(9) You promised to protect the Oak Ridges moraine and to halt development, and then you okayed 5,700 new homes.

(8) You promised to help rural Ontario, and then you cut the agricultural budget by 12%.

(7) You claimed a big surprise in terms of the deficit, when Gerry Phillips, who was at that point the finance critic for the Liberals, warned of up to a 5% shortfall, as did Mr Kwinter, who is now in the cabinet, say the same thing. And you feigned surprise and shock about this very deficit after the election. I told Mr Phillips the selfsame thing, if you want to go get the tape on TVO, when Mr Phillips and Janet Ecker, who was then the finance minister, and I were called to a debate in the throes of the election and asked to discuss whether, in fact, the government of Ontario was running a deficit. A day before, there had been a report put out by a right-wing think-tank, and there had been many aspersions cast in terms of the \$5 billion. Mr Phillips at first said point blank that there was a \$5-billion deficit, to which point Madam Ecker came back and said, "Of course there isn't. There's no deficit. There's no such thing." Then they asked me to comment, and I said, "I'm positive there's a \$5-billion deficit, or something approaching that deficit, but the reality is that as soon as the election is finished—and at this point I assume with the polls that the Liberals are going to win—the first thing that is going to happen is there is going to be feign and disguise and saying, 'I know nothing about it.'" Mr Phillips was visibly upset when I made that suggestion, and rightly so, because he knew exactly what was going to happen.

1630

**Mr Bob Delaney (Mississauga West):** No, he didn't.

**Mr Prue:** No, he knew exactly what was going to happen. You were going to win the election because you



were miles ahead in the polls, and then you were suddenly going to find out you had a \$5-billion deficit, which he already had forecast and which you already knew about.

*Interjection.*

**Mr Prue:** That's that one. That's the shock and surprise.

The next thing you promised to do was to stop private hospitals.

Mr Speaker, if he's going to heckle me, he should at least be in his seat. If he doesn't know the rules of the House, he should.

**The Acting Speaker:** The member has clearly indicated that your heckling is bothering him, member for Mississauga West, and I ask you to refrain from it. I recognize the member for Beaches-East York.

**Mr Prue:** Thank you very much, Mr Speaker.

(6) You promised to stop private hospitals, but then proceeded in Brampton and Ottawa to do the self-same thing with private hospitals.

(5) You promised—this one comes up in the Legislature literally once a week by my colleague from Nickel Belt—IBI treatment for all autistic children. You promised help before the election and then you denied the help after the election. What's even worse, you are taking families who can ill afford it to court.

(4) You promised 20% lower auto insurance rates, promised the rates would go down, but I put it to you that the rates are still going up. I'm going to deal with all of these in more detail, but you promised.

I want to anecdotally tell you that I got my insurance last week. I opened it up in eager anticipation of a rate reduction. I hadn't had a rate reduction in years. I have no tickets for the last seven years. I have no claims for the last seven years. I have a seven-star rating. I was with Certas—I guess I still am legally with Certas auto insurance. I opened it up, and to my surprise and horror I got a 5% increase. So of course I phoned. I thought this must be some huge mistake. I waited on hold for a long time. I got a very personable young man who told me that in fact that was not the case, that Certas auto insurance has been granted by this government anywhere up to a 31% increase, and that I was lucky mine was just under 5% because I have a seven-star rating.

Of course I have started to shop around and I hope to find another insurance company. I am a lucky person with a seven-star rating in auto, and I'm hoping to find one, but there is a major insurance carrier that is not delivering on what this government said they were going to do. This is what has happened to me, and I think there are many people out there exactly like me who think this has not been a promise kept.

(3) You promised the hydro rate cap and public power. You promised affordable public power, and then you have delivered expensive power. I'm not blaming the government totally. You cannot sell something for less than what it costs to make. Any businessperson will tell you that, but you should not have made the promise in

the first place. You should not have made a promise you knew you could not keep.

(2) You promised there would be no health care delistings. You promised more health care, and then you have cut chiropractic, physiotherapy and eye examinations.

(1) I think the biggest promise break of all was the unfair regressive health tax. You promised no new taxes and then you whacked ordinary Ontarians with a health tax they can ill afford. You leave the very rich paying nothing more than a family making \$50,000 a year.

**Mr Crozier:** What about the fair-share health tax?

**Mr Prue:** No, you can think it's a fair share, but I think that has been a betrayal of the people of this province.

Let's go back through these because I've got 14 minutes left and I want to talk about some of these because they're pretty good.

Promise 10: Ontario Liberals to stop the 407 rip-off.

Dalton McGuinty said a whole bunch of things:

"Not only did the Harris-Eves government fail to protect consumers. It misled them," McGuinty said.

"The Tories promised that the lease with the 407 consortium limits toll increases to 2% plus inflation, so we're going to roll the tolls back to the levels they should be had the Tories kept their word. Future fee hikes will be capped at the same rate: 2%, plus inflation."

Reality check: That has not happened. It has not happened. Tolls continue to rise and the people who use that particular highway feel that they have been betrayed.

Promise number 9—going back on that—the Oak Ridges moraine; some of the things that were said. Again, I quote Mr McGuinty:

"We're committed to providing genuine protection to the Oak Ridges moraine," he told reporters Thursday evening after delivering a speech to the Ontario Chamber of Commerce.

"I'm delivering a message through you tonight to tell those people involved that we intend to stand up for the protection of that environmentally sensitive space."

"McGuinty said that a Liberal government will not allow the planned construction of 6,600 housing units on the moraine, even though development has already begun."

It didn't take very long. We heard in estimates only last week or two weeks ago—I can't remember now; this place is a blur—through the very capable cross-examination by the member from Erie-Lincoln of the Minister of Municipal Affairs that the McGuinty government, before it was even sworn into office, in that period between election day and the swearing in some couple of weeks later, sent out the new chief of staff of the Premier to negotiate a deal. And what deal was negotiated? Not the protection of the housing. Sure, a few housing units were taken out there and shoved over to Pickering. But the housing continues to go there. Whether there was a legal problem or not, I would think that is not sufficient. If one is going to make that kind of promise to halt housing on the Oak Ridges moraine, then one had better

deliver it, because a lot of people felt betrayed about that. One in particular is Mr De Baeremaeker—you remember him; I think he ran for you, at least on one occasion: “Dalton McGuinty said he would fix the mess, and unfortunately they’re turning around and running away from the developers with their tails tucked between their legs.”

Municipal Affairs Minister John Gerretsen explained his party’s election promise in kind of an interesting way: “Perhaps we were too naïve without knowing the full implications of the deal at the time that promise was made.”

Again, back to Glenn De Baeremaeker, who is with the Save the Rouge Valley System:

“They’re not in office eight weeks and they’ve totally caved to the developers. Their policies and Mike Harris’s policies—you can’t tell them apart.”

So we have a whole bunch of environmentalists who weren’t very pleased with that.

The help for rural Ontario—I have already talked; I don’t know whether I can add much more to that. You promised to help rural Ontario and then you slashed the agricultural budget by 12% in the first budget.

I don’t want to spend any more time on the surprise deficit. You all know the history of that, even though it continues to be denied.

Private-public hospitals, though, are kind of interesting. What did McGuinty say during the election? I take this from the National Post, May 23, 2003:

“‘Canada’s first two experiments in privately built and owned hospitals would be quickly dismantled if the Liberals took power in Ontario,’ Dalton McGuinty, the party’s leader, vowed yesterday.

“His comments came as proponents of one of the projects—a \$95-million mental health centre in Ottawa—blitzed media outlets to promote the idea of private-public partnerships, or P3s, in health care.

“‘We would move as quickly as we could to bring any P3s into the public system,’ he said.”

1640

There are legal documents, and I’m sure that there is an excuse for not doing that, because we have heard the excuse in this Legislature. But the reality is that the promise was made, and if one has integrity and honesty, one should not have made a promise that could not be kept in the first place.

People were either elated at what the Liberals have done or they were disappointed. Let’s go with the disappointed people first. I would like to quote Natalie Mehra from the Ontario Health Coalition: “‘The corporations that get these contracts make profits of 25% a year,’ says Natalie Mehra. ‘Those profits translate into worse hospital care—bed reductions of 25%, 14% fewer nurses and 38% fewer support staff.’”

There were people who liked it. I would like to quote another member of the House, the member from Nepean-Carleton, because he disagreed with that statement. The member from Nepean-Carleton, MPP John Baird, had the following to say: “I’m afraid we’re looking at a modified

P3 here”—oh, no, excuse me. That’s what Michael Hurley said. Sorry, I take that back.

The actual quote from John Baird is: “‘Despite the Orwellian doublespeak ... on first glance it looks pretty identical to the deal that Ernie Eves announced ... so from that standpoint, we’re thrilled,’ said Conservative MPP John Baird.”

You have a whole group of people out there who are fighting for public medicare, who believed the promise you made that you would do something with the P3 hospitals. Maybe you couldn’t do it. I’m not saying that all the lawyers in town couldn’t convince you that you were wrong. What I am saying is that when you make that promise, you should deliver, because you have people now who counted on what you said, who believed in your integrity and honesty, who are now starting to disbelieve that. You are putting politicians and this Legislature into some disrepute.

The help for autistic children: This one is sorely grievous. I quote Mr McGuinty before the election, on September 17, 2003: “I also believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six.” What has happened? What has happened to that lofty promise? We have heard that it might cost too much money. We have heard that the government wants to take the parents of children who have autism—who, after all, only want the best for their children—to court. The government refuses to say how much money they are spending on lawyers—their own government lawyers or outside lawyers—to fight a growing list of thousands of parents across this province who believed that promise. I believe that probably most of them ended up supporting Mr McGuinty for the promise he made on autism, and now, today, we see that they have to beg, they have to borrow.

Last night I watched a CBC documentary on the news. We saw people mortgaging their houses, people doing everything that is possible in order to bring this government, the party that made the promise, to heel. They are going to court, taking extraordinary measures, because they believe that what was promised is not being delivered and, in fact, worse than that: what is being promised is being denied to them and they’re being forced to go through the courts to get what anyone would want for their child, and that is an opportunity in life.

In March, the Ontario Human Rights Commission referred to a record 121 autism-related complaints against the McGuinty government to the Ontario Human Rights Tribunal. François Larsen, spokesperson for the commission said, “Normally, for any other disease or problem, if you need a service it’s provided until it’s not necessary to do so. In this instance ... the criterion has nothing to do with the necessity or not of treatment; it’s just randomly age. What we’re saying is: That’s wrong, you should provide the service if it’s required.”

To quote one of the lawyers fighting for a family, Mary Eberts, “The government’s position is, if anything,



more heated up than it was under the Ernie Eves' government."

So the reality is that thousands of people with autistic children, thousands of people who counted upon the words of the opposition leader, now the Premier, during that heated campaign in September and October of last year, find that that is not and was not the case. They feel that the integrity and the honesty of the statement is at question. It again puts into disrepute what is done in this House and when we as politicians stand up and make those promises.

Auto insurance: I've talked about my own auto insurance, and I don't expect anything different. The auto insurance premiums have continued to go up. What has gone down for many Ontarians is what the auto insurance pays when they have an accident or need to make a claim. One of the most grievous examples I saw was that there used to be a—if somebody stole your car, you used to be able to make the claim for the car. Now, under this new scheme, which is supposed to save people money but which doesn't, if somebody steals your car, there is a \$500 deductible, as if you are somehow to blame for it in terms of the auto insurance. So I think people are starting to see that there are a lot of problems here with what they believed was going to happen with auto insurance; it quite clearly is not.

In terms of hydro and what was being said, I quote Dalton McGuinty again, September 7, 2003: "We will keep the price cap in place until 2006. We do not believe that you should pay the price for the government's mistakes." It didn't take very long to increase the cost from 4.7 to 5.5 cents an hour. You know, who does that hurt? Does that hurt me? No, I make enough money. I'm sure all the members of this Legislature make enough money to pay the extra \$10 or \$20 or \$30 or \$40 that it costs for hydro in our homes. Can the industry pay it? Some of them, yes; some of them, no. Some of them will surely go bankrupt because the cost of electricity is a major component. Those that can do it will pass on the price to consumers, and we see a whole spiralling of inflation. But who does it really hurt? It really hurts the poor. As Mary Todorow from the Low-Income Energy Network had to say, "For many low-waged workers and people on social assistance and other income security programs, it's going to mean choosing between heating, eating and paying the rent." That is the very sad reality.

Health service delistings: We've had a whole talk about that today.

I've got 48 seconds, so I'm going to skip to the last one, which was the health tax. You know, McGuinty, before: "Tory leadership candidates Ernie Eves and Chris Stockwell may want to raise taxes by charging families an additional \$1,000 a year for health care. I do not," McGuinty said. "Families are already paying for health care with their taxes. Pay more for health care, pay twice for health care, but get less health care—that's the Tory plan. It's certainly not the Liberal plan."

We have seen what has happened today. Everybody is being forced to pay more, particularly people with low

income, at disproportionate amounts, and they're getting less. No chiropractic services, they're getting no physiotherapy services, and they are having to pay for optometrists. This is a health tax that hurts ordinary Canadians.

I support this motion today, and I think it causes pause for all—

**The Acting Speaker:** Thank you very much. Further debate?

**Mr Crozier:** I'm pleased to join in this debate today because it's kind of an interesting one. I think each of us has to be careful what we say, both inside this place and outside. Who of us in here at some time or another hasn't had our words come back to haunt us? Who of us in here at some time or another hasn't had to change their position on an issue over time?

You know, I found one thing. I sat in opposition for 10 of the 11 years that I've been here, and it's a lot more difficult to defend than it is to criticize. Of course, being the government of the day, there are going to be criticisms, because if you aren't doing anything, then there's really nothing to criticize, in some cases. An interesting thing, too, is the obvious, that it's only the party that wins the election and gains the responsibility of government that has to answer for its commitments. The official opposition had all kinds of commitments. Some have suggested they were at a cost of \$30 billion. They don't have to defend those commitments because they're not the government. The third party made commitments. They don't have to defend them. They're not the government. So I think each of us has to be careful what we say about our commitments and whether someone is either keeping them or not keeping them.

1650

So rather than go that route, I guess that's perhaps the end of the philosophical part. I loved the member from Beaches-East York's quotes. They were great and to the point. Some of them made you think a little bit about yourself—ourselves—in this place.

One year has gone, three years to go. Who's to say, unless you can identify something specific that the government's actually done opposite to what it planned, is a promise broken? We've got a long way to go and, frankly, it's going to be the voters who are the judge. In fact, it was raised today how there's a court case going on that's coincidental to this motion that's come forward.

I'll just briefly refer to the editorial in the National Post today, "Let Voters be the Judges":

"That's precisely what makes the Canadian Taxpayers Federation's current lawsuit against the Ontario government so dangerous....

"While it is the law of the province, and no law should be violated with impunity, breaking it is not quite on a legal or ethical par with violating provincial or federal laws against fraud, influence peddling or embezzlement," and so forth.

"Beyond the merits of this particular case is the dangerous precedent that would be set by encouraging judges to overturn election results based on lawsuits

brought forward by interest groups or disenchanted segments of the electorate....

"Interestingly," the editorial in the *Post* today goes on to say, "it is the Conservatives—at least in Canada—who seem most inclined to bring forward such suits."

Enough said. I think probably that says a lot to what really will come of this so-called court case that's going on today.

I have here—and I don't have that much time—a list of some 102 positive initiatives our government has accomplished in its first year in office. Some of them may not have been promises at all. Some are promises we made, some are commitments we made, some are the result of events that have occurred in the last year.

I think part of the context in which we should look at honesty in this place is if you have the honesty to say what is the reality of the day. In other words, maybe I can't do what it is I wanted to do on behalf of the citizens of Ontario. Maybe we can't do that, and for whatever reason. I think enough has been said in this place about those things that we understood before the election and those that we know are facts since, so I'm not going to go there. But I think part of being honest is to be able to recognize what it is you wanted to do, what you now can't do, and what it is you have to do on behalf of the citizens of Ontario.

I'm going to go through some of those things that I think are positive that we've done in this past year and say to the electorate that we do have three more years in which to convince the public in Ontario that we've done a good job with those tools we had at hand. I'm confident that, at the end of those three years, the next three years, we'll be able to go to the electorate and put that case forward. And as we all know in this place, the electorate will decide. In almost 20 years that I've been in public office, both municipally and provincially, I've never known the electorate to be wrong, because that's the way a democracy works.

So rather than criticizing what has gone on in the past and trying to find fault with somebody else, please bear with me while I just give some positive tone to what we've been able to accomplish in this first year. I'm going to dwell probably mainly on agriculture, because I represent a small urban/rural municipality.

In the area of agriculture, before we came to office we knew that there was some concern about food safety in Ontario, notwithstanding the fact that I think we have the safest food in Canada. Canada certainly has the safest food amongst any of the nations in the world. But to ensure food safety, we have hired more full-time meat inspectors. That's what we said we would do, and we did it. To ensure the financial health of the agricultural industry, we hammered out what we think was a better deal on the agricultural policy framework with the federal government. To ensure that Ontario's food remains safe, we asked a prominent judge to conduct an inquiry into problems in food safety—something we said we would do; something we've done. To help the farmers who are in crisis, and this is something that—former

governments can't foresee crises that come up. SARS was one that the former government had to deal with. BSE was one that came upon us and which we've had to continue to deal with. So what did we do? We contributed, along with the federal government, \$74 million to provide stability to our farmers. Is it enough? Probably not, but at least we tried to address a crisis in the agricultural industry. To protect Ontario's dairy farmers we said that we would bring in the Edible Oil Products Repeal Date Amendment Act, which we did.

Too often—and I guess it's because I'm in government, and as I said at the outset, it's much more difficult to defend than it is to criticize—we dwell on those things that we know are negative and are easier to explain. It's easy to explain something that's not logical or doesn't have reason behind it. It's easier to make the statement; more difficult to really explain what the circumstances are around it.

I think our government is protecting the viability of family farming in the province by exempting the land transfer tax on farmland, not something that every individual—in fact, most people in Ontario don't know about it and couldn't care less. But it is a positive thing that we've done to help our farmers.

We've enhanced the safety of foods produced and processed in Ontario. In doing that, we're investing in research projects that are designed for that purpose. We've tried to help Ontario's livestock industry, as I've said. We've tried to help the agri-food sector by becoming more competitive and investing \$2.5 million in a rural development centre at Ridgetown College. Our government is providing up to \$30 million to help the industry, in addition to the \$74 million I mentioned to help with BSE.

So there are some, if I counted them, 12 or 13 initiatives that we have taken in the last year in the area of agriculture.

Today, we're dealing with numbers. Again, we hear about it in the criticism of our government that we made X number of promises. At the end of the day, I think what's really going to be important is, did you do the very best you could under the circumstances?

1700

I'll end with this: I think back to the election, and I don't know who really knew at the time what the financial circumstances of this province would be, because there had been some crises we faced and it's difficult to predict what the economy is going to be like one, two, three or four years down the road. I honestly think that by far the majority—I look around this place, and I can't name one person from any party who went into that election about whom anybody could say, "They're really being dishonest. They know for certain that something either is or is not the case." But I can say that most of what I observed during the election was an attempt to identify what needed attention in this province, to articulate how we, as a government, might address it, and then, in the final analysis, do the best we could to address that.



Have things changed? Would we rather have had the opportunity to do it differently in some cases? Absolutely. But in the end, the real honesty will show when we've done the best we could under the circumstances we were faced with, in the best interests of the people of Ontario.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm pleased to join the debate on the opposition day motion put forward by my colleague Mr Runciman "that the Legislative Assembly call upon the government to fulfill the promises made by Liberal Party leader Dalton McGuinty during the 2003 election, according to the original cost estimates as provided by the Liberal Party of Ontario."

I guess I'll begin by just reminding people that it was about one year ago—a little bit longer—that people in the province of Ontario had the opportunity to choose a new government, choose new representatives. At that time, they made a choice based on a very, very expensive package of election promises.

I know personally that when I took a look at some of the promises and some of the estimated costs, having been in different portfolios, whether the Ministry of Labour, the Ministry of the Environment, the Ministry of Health or, particularly, the Ministry of Education, I knew the numbers for the estimated cost of the program were not realistic, particularly when I took a look at the estimate for class size.

I had asked Dr Rozanski to take a look at that very issue: What would it cost if we were going to cap class size? Of course, he had studied the issue. He had gone to other jurisdictions and come back and said to us that the cost of lowering class size could not be justified. It was going to cost in excess of \$1 billion, and the outcomes were not necessarily going to improve until you got below a number something like 17. He also indicated that if we were really intent on helping those students who were struggling and needed extra help, a better investment would be in early literacy and numeracy programs.

I'm pleased to say that, based on his recommendations, we did deliver and invest in those early literacy and early numeracy programs. I was also pleased to see that, as a result of the programs our government put in place—this new emphasis on early literacy and early numeracy—in the most recent testing at the elementary school level, students in this province continue to do better and better. I believe that, for the first time, what we were able to do was determine how our students were doing, but we were also able to determine, then, how we could provide remediation. The only reason you test anyone is to ensure that once you recognize their strengths or weaknesses, you invest in remediation programs in order to help those who need additional help. You also then allow the teachers to understand what the needs of their students are, parents to understand what the needs of the students are and, hopefully, with the student working with the teacher and the parents, you help that student to achieve better success.

So I think the recommendations that Dr Rozanski made to us to invest in early literacy, early numeracy,

invest more in remediation, students at risk—another program I'm particularly proud of was to help the students we knew were going to have trouble with the literacy test in grade 10. The at-risk program actually was based on recommendations we got from people who were in the educational sector. In fact, we had the director of education from the Kingston area participate, and I know that program is now moving forward. They're identifying students who are going to be at risk before they ever write the test. They're helping those who don't achieve the level of success needed after they write the test. We've also put in place an extra year of support in order that people who obviously do not achieve success writing tests can be evaluated in terms of a one-year program.

So I knew during the election campaign that this pledge to reduce class size to 20 was one they could not achieve, given the amount of money they had estimated it was going to cost. Our party was trying to get the real costing information. We set about doing this last October 17, when we made our first request for what it would actually cost, the real cost related to the election platform. We made this request:

"I seek all information regarding the costing and/or plans for implementation of the Liberal Party platform as they were presented to Premier-designate Dalton McGuinty and the incoming Liberal government of Ontario and his transition team and staff, as assembled by the Ontario public service, including but not limited to copies of correspondence, briefing notes, e-mails and memos or any communications between the two parties on this subject."

On November 7 of last year, a cost estimate of \$243 was returned to PC research services for access to that information. On November 20, that money was paid, the \$243. We agreed it was the only way to get the information as to the real costs of the program; we would pay \$243. Then we received documents from Cabinet Office that failed to indicate the estimated cost of even one single promise. So the information was not provided, despite the fact that we had been told that if we paid \$243, we could get that information. Subsequently, the next day PCRS called Cabinet Office to question the absence of the costing information, and PCRS was verbally informed that such a document did not exist.

Then on December 3 of last year—I guess we were determined not to give up—based on the information received from the first freedom of information request, our party made a second request for information to Cabinet Office, specifically requesting the cost to implement the Liberal election promises. Again, on December 16, the responsibility for the request made on December 3 was transferred to the Ministry of Finance. On December 23, just a few days before Christmas, the Ministry of Finance confirmed their receipt of this second FOI request. Finally, on January 21, the Ministry of Finance responded to this request, granting partial access to a limited number of records. A 60-page document entitled *Estimated Costs of Initiatives*, however, was denied to us in whole by the ministry.



1710

Then, on January 26, at a meeting of the standing committee on finance and economic affairs regarding pre-budget consultations, John Baird questioned the Ministry of Finance officials about the 60-page document, but the Deputy Minister of Finance responded by saying, "I'm not familiar with that document. I will look into it," and, I quote, "I don't believe that such a concise set of estimates exists."

On February 6, after this denial, after this refusal to provide the information even though we had paid our \$243 for the freedom-of-information request, PCRS launched a formal appeal. We had to go beyond this precinct in some respects. We had to go to the Information and Privacy Commissioner to gain access to this 60-page report that was being denied in full by the Ministry of Finance.

On February 10, we the official opposition moved a motion to have the costing information released to the members of the standing committee on finance and economic affairs. However, I am disappointed to say that the Liberal members of the committee voted down that resolution. On February 11, this appeal to the Information and Privacy Commissioner—we received a response. The IPC acknowledged receipt of our appeal and began a preliminary review to determine the substance of our appeal.

On February 26, the IPC confirmed the appeal brought forward at PCRS and the mediation process commenced. On April 5 of this year, the mediation process was completed with no resolution. The Ministry of Finance elected to forgo mediation and allowed the appeal to be transferred directly to adjudication. The Ministry of Finance maintained that the 60-page document—I guess now they are acknowledging that there is one—was exempt from freedom of information due to cabinet confidentiality and the potential impact on the economic interests of the province.

On May 27, the IPC officially launched the inquiry into this 60-page document, which people had refused to even acknowledge existed, and provided a copy of the initial arguments from the Ministry of Finance as to why the document should be withheld from FOI. On June 22, the response prepared by PCRS in response to the claims made by the Ministry of Finance was forwarded to the ministry for additional comment by the IPC. On June 29, there was a rebuttal from the Ministry of Finance received via the IPC.

On July 13, there were additional arguments in favour of releasing the 60-page document presented to the IPC, in contrast to the previous remarks made by the Ministry of Finance. On July 28, the Ministry of Finance once again responded to arguments made by PCRS. These arguments were forwarded by the IPC to PCRS on August 11. In this letter, the Ministry of Finance indicated its intention to now provide partial access. Again, we've now been at this for months and months and there is some acknowledgment that such a document does exist.

On August 4, the Ministry of Finance altered its initial decision made on January 21 regarding the 60-page document. The ministry has now decided that partial access to the 60-page document should be provided to PCRS. In accordance with this decision, the 60-page document was forwarded to PCRS with all but two columns blacked out. The remaining columns are titled "Initiative" and "Ministry." The document effectively lists all of the Liberal campaign promises and the ministry responsible for implementation, but not costing information.

**Mr Jim Wilson (Simcoe-Grey):** What a cover-up.

**Mrs Witmer:** Unbelievable.

On August 5, PCRS informed the IPC that despite the revised decision from the Ministry of Finance, our office wished to continue with the appeal in order to gain access to the remainder of the 60-page document.

On August 11, PCRS received the July 28 representation from the Ministry of Finance via the IPC.

On August 27, PCRS indicated to the IPC that there was no additional information that our office wished to bring forward in this matter and requested that the matter be adjudicated at the earliest convenience.

On September 13, The IPC rendered its final decision in a 15-page summation. The verdict of the IPC—and I think it is significant that the IPC has now made a ruling or is making a ruling; remember, the IPC is the Information and Privacy Commissioner and that's pretty significant when you have to appeal to that person—is that the ministry must disclose the remaining portions of the 60-page document to PCRS by October 4. Basically, they needed to make sure that the numbers needed to be included in the release of the document.

On September 17, the first media reports of the decision of the IPC to force the government to disclose the 60-page document in full surfaced in the Toronto Star, the Kitchener-Waterloo Record, the Hamilton Spectator and the Canadian Press.

The next day, additional media coverage was noted in the Timmins Daily Press, the Sudbury Star, the Sault Star and the St Catharines Standard.

Ladies and gentlemen, this is unbelievable. I have never heard of such a process that an opposition party has needed to go through in order to get a 60-page costing document, that people refuse to even acknowledge there was such a document in the first place.

Let's take a look at some of the coverage. Here's a headline: The Toronto Star, October 5, says, "Liberals Kept Quiet on True Cost of Promises: Secret Report Puts the Tally at \$11B to \$18B but Sorbara Says \$5.9B would do it." It says that this is "two to three times what Dalton McGuinty promised last year." It goes on to say that this "detailed analysis made public" only "under orders from the privacy commissioner reveals fulfilling" these "231 campaign promises would be more expensive than previously thought."

Then the finance minister, who made no effort to release this information, nor has the rest of the government, says, "You know what? This report is not import-



ant. It's not very reliable, it's not very relevant and we've never used it for anything."

Folks, if it wasn't important and it wasn't relevant, why did the government spend almost a year trying to conceal and prevent its release, not just to the opposition but also to the people in Ontario? You take a look at this report, you take a look at the discrepancies between the estimates in the election platform prior to the election of this government and the true cost, and there is a huge and very significant difference.

This is what the media said: "McGuinty's Pledges Expensive: Secret Report Made Public."

Here we have the *Globe and Mail*. The headline of October 5 is, "Liberals Deceived Voters, Tory Says: Grit Promises will Cost \$18 Billion, not \$5.9 Billion."

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Here we have an instance where nobody wanted to tell the truth, and I guess that's why we have this motion in front of us today. There was a tremendous number of promises—231 promises—made by this government, and people elected this government based on those promises and the estimated cost of \$5.9 billion. Since that time, this government has demonstrated these promises are much more expensive to keep. In fact, they found it's much easier to break their promises, and we have seen a whole rash of broken promises since the election, probably in the neighbourhood of at least 38 promises and, unfortunately, the people of Ontario have suffered the consequences.

One of the biggest broken promises we have seen was the introduction of the health tax. Here is a huge tax that is taking money out of the pockets of hard-working people in this province. In the case of some individuals, it's \$900 per year. We know that consumer spending is down, and it's no wonder: so many broken promises, so much more money coming out of the pockets of taxpayers. People are paying more and getting less, particularly in health care. Not only do they have to pay this new health tax, but they're losing access to chiropractors, physiotherapy and eye exams as well.

The minister, regrettably, has indicated that he doesn't rule out further delisting of services when it comes to health care in Ontario, and he hasn't ruled out further tax increases. Basically, folks, for a government that campaigned against two-tier medicine and against privatization of health care, the delisting of those three services moves us in that direction: If you can afford it, you can go and get an eye test; if you can afford it, you can go to the chiropractor; if you can afford it, you can have physiotherapy. We've heard in this House about people who simply don't have the financial resources, who are going to be deprived of that opportunity. I'm very concerned about eye testing, because if you have an eye disease, it's not like a toothache and it's not like a backache; you don't usually know you have a problem.

So it's important, I believe, that we seriously question the decisions that have been made by this government.

Another broken promise they made was to balance the budget. Obviously that isn't happening. They promised

not to add to the debt: "We will make sure the debt goes in one direction, down. We will not add to the debt." The 2004 budget shows that over the next three years the Liberals will add \$12 billion to the debt, erasing the \$5-billion net reduction we achieved when we were in government and adding another \$7 billion.

They also broke the promise of capping hydro rates at 4.3 cents per kilowatt hour until 2006, which is what they promised. In fact, Premier McGuinty promised this in a scrum on November 18, 2002, and he spoke to this again on September 20 when he said, "The price freeze stays until 2006." Guess what? A month after taking office, they announced the cap would be removed in April 2004—another broken promise.

They promised to stop 6,600 homes on the Oak Ridges moraine, and we know that promise has been broken. Municipal Affairs Minister John Gerretsen was forced to announce that 5,700 houses will be built and pleaded that the Liberals were, I quote, "naive for making the promise."

I've spoken to the biggest break, when the Premier said on TV screens throughout the campaign, "I won't raise your taxes." We have seen tax increases in the 2004 budget of a record \$7 billion.

**Mr Jim Flaherty (Whitby-Ajax):** The largest ever.

**Mrs Witmer:** The largest ever in the history of this province: a \$1.6-billion personal income tax hike to pay for health care premiums; a \$3.9-billion electricity rate hike; increases in taxes on liquor, wine, beer and tobacco; a 50% increase in driver's licence fees; elimination of the Ontario home ownership savings program; elimination of critical tax credits such as the workplace accessibility tax incentives, the workplace child care tax incentive, the sales tax exemption on vehicles for disabled persons, and income tax incentives for electricity supply and conservation. In fact, people in Ontario are experiencing, on average, a 65% increase in user fees—unbelievable.

The other one where people are getting hit is they were promised that they would reduce auto insurance rates by 10% within 90 days. It has not happened.

**Mr Wilson:** For a total of 20%.

**Mrs Witmer:** That's right. My colleague reminds me that this was going to be 20% overall. Well, that's not happened either.

They also promised to make Ontario's chief medical officer an independent officer of the Legislature, and in the case of their current appointment, that has not happened either. They promised to provide autism treatment beyond age six, to divert 60% of municipal garbage to recycling by 2005. These are all broken promises.

They promised to stop school closings. They promised to fund medically necessary health care services. I've gone through that one—eye exams, chiropractic, physio. They're gone. They promised to provide adequate multi-year funding for hospitals. Well, we all know the war that was started by the current Minister of Health and Long-Term Care, who, despite the fact that a year ago he went to the OHA and said, "Let's work together in co-operation," then introduced Bill 8 and since then has



created extreme anxiety in the hospital sector: people afraid of job cuts. In fact, we've been told that without adequate multi-year funding for hospitals we're going to see programs closed, services reduced. We're going to see nurses and other staff members laid off.

So I hope today that everybody in this House supports our opposition day motion, because it is important that this government be held accountable. They made promises. They were elected on these promises, and I ask them today to be accountable to the people in Ontario and stand up and fulfill the commitment.

**The Acting Speaker:** Further debate?

**Mr Khalil Ramal (London-Fanshawe):** As always, I am glad to have the honour to stand and speak on behalf of my constituents of London-Fanshawe and also basically on behalf of all the people of the great city of London, Ontario.

I was listening carefully to the speaker before me, the honourable member from Kitchener-Waterloo. She was talking about breaking promises. I guess I'm privileged to get the chance to speak against that motion brought by the opposition for opposition day number three in terms of fulfilling the promises our government and our party made before the election in 2003.

I am involved in politics because I believe I can make a difference for the people of London-Fanshawe, for the people who gave me the chance to be with them for a long, long time to work and start business, socialize with, live in the area, talk to them on a daily basis. That's why I was convinced to run for election, especially after the past government destroyed health care, destroyed education, destroyed the social structure. All these elements gave me a great reason to run for election. I found in the platform of the Liberal Party and the leader of the party, our Premier right now, Dalton McGuinty, a person to restore the education and the health care and the social infrastructure.

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On October 2, 2003, the people decided and made a choice, and they chose change. We were elected to be the government of Ontario. Since that time, our government has been on the right track to rebuild this province, to restore education, to work with the teachers, to build schools, and to respect and honour the teachers who work hard to educate our kids, to ensure we have a bright, strong and great future.

The speaker before me, the member for Kitchener-Waterloo, was the Minister of Education. I remember what she did when she was the Minister of Education. She created chaos in the education system. The people lost their trust in the public system. The teachers were fighting the government, the government was fighting the teachers, and the parents and students got lost.

Now the honourable member from Kitchener-Waterloo stands up and speaks about good education. She's trying to defend the education system. As a matter of fact, in her time when she was the minister, she worked hard to destroy public education and push forward private education. When she was the Minister of Health, she didn't do a better job.

I was listening to her last week talking about health in this province. She was talking about how to enhance our health care in this province. When she was the minister, many nurses were laid off, many hospitals were closed and many doctors left the province.

Since we got elected, my colleagues and I from London and the surrounding area met the health officials in the London area. We kept meeting with them on a regular basis to make the linkage between us and them and the government, to make sure we have a good health system in London. We never cut the connections. As a matter of fact, I'm going to meet with them this coming Friday to tell them we in this House are working hard with our Minister of Health, working with this government in order to secure accessible, publicly funded and safer health care.

Last week, I had the honour to hold a public town hall meeting with my counterpart, the federal member Pat O'Brien, in our riding of London-Fanshawe to listen to the people and what they think, because you hear a lot about broken promises, but when you ask them to name a few, nobody can. People start talking and telling us, "You are going in the right direction. We elected you to save our public health care, exactly what you did in the education system."

The people are happy with our Minister of Training, Colleges and Universities because she'll put the freeze on the tuition for two years, working with colleges and universities to offset the loss of revenues. She has met with them many different times to listen to their concerns and has invested many millions of dollars to ensure all the programs are kept and enhanced.

Our government hired a former Premier of this province, Bob Rae, to go to the colleges and universities to listen to their concerns, collect information and see how we can improve our post-secondary education system in this province. Let me tell you, I have met with a lot of deans and presidents of colleges and universities in this province. They were very happy with his approach and with our government's approach, because for the first time they saw people coming to them and talking to them, listening to their concerns. This is a great way to deal with the people of this province.

**Mr Ted Chudleigh (Halton):** On a point of order: I would like to bring to the Speaker's attention a former member in the gallery, Julian Reed from Halton, a constituent of mine. Welcome, Mr Reed.

**The Acting Speaker:** Unfortunately, that's not a point of order, but it's great to have him here. I return to the member for London-Fanshawe.

**Mr Ramal:** This is our direction in this government: to work with the people of this province to make sure all their needs are being looked after. We have been talking about investment in education. We have invested millions of dollars to make sure all the colleges and universities are looked after. We have invested \$180 million over the two years for 13 new college and university capital projects, which is very important because so many colleges are crowded. They need space to implement and use their programs.



Another thing: The public infrastructure renewal ministry did a wonderful job. They are addressing and working with every area, every spot in this province to make sure there is accessibility: the roads, the highways. Besides that, they introduced a great bill. If that bill passes, it will make sure we protect our environment. As you know, buildings, houses, highways and roads are eating our farmland. This initiative will protect our beautiful farmland, which every one of us is dependent on. We have a beautiful province and we're entrusted by the people of this province to protect it, to look after it. It is very important to make sure the farm area is protected. This is a great initiative by our ministry and our government.

Another thing: Our government is making sure that all the water and sewage systems are protected and replaced to ensure the safety of this province. It created long-term infrastructure planning. We are developing the first ever multi-year infrastructure plan, over 10 years of public infrastructure. This long-term vision was never implemented before. We believe our responsibility as the people who were elected is to protect the environment, to protect the sewer systems, to make sure that all the cities and communities are connected—bridges, highways—all put together for the safety of our people and to ensure the safety of those people.

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I was astonished when I was listening to the past speaker talking about breaking promises. I was astonished when I listened to her saying what they did. If that job was done right, why did the people of this province vote them out? Because they broke all those promises. They broke their promises. They didn't respect the people. They introduced a budget, not in this place—it was in a private place called Magna—to please some people.

We're putting everything back on track. That's what we promised the people of this province: to work with them, to listen to their concerns. We are implementing all the elements which restore democracy and respect for all the pillars in our society and in our economy.

I'm fully convinced that we're on the right track. As I mentioned in the beginning, when I met with the people of London-Fanshawe last week, they told us, "You are on the right track." They had a few concerns, because they read in the media, read in the newspaper, listened to the radio, listened to some members from the opposition trying to create a fearful environment, telling them, "This is going to close; this is going to be demolished," but when we explained our plan to them, they told us, "We are 100% in support. Tell us how we can help you."

That's what people tell us. They are looking to support us because they believe in our government. It's the right government and the right direction to restore this province after the destruction of the last eight years. That's why I'll be voting against this motion, because I believe we're on the right track.

Since the honourable member who introduced this motion is with us today, I want to tell him, I want to tell the people of London-Fanshawe and whoever is listening

to us—I know a lot of people are listening to us tonight—we are working for you to make sure your hospital remains functioning very well, remains publicly funded and accessible to everyone. Also, we want to work with all the hospital officials to help them, to walk them through all the steps to balance their budgets. I also want to tell them not to worry, because our government direction is to protect them, to make sure they have safe health care, that they have publicly funded health care. That's why we are here: to work to defend their cause.

I listened a lot last week to many speakers tell us that we don't care about their issues. As a matter of fact, I want to tell you tonight that we are fighting hard to work with you, to be the advocate on your behalf. Our government listens to you, and our great Minister of Health is going to work hard to ensure that your service is in excellent shape and is publicly funded and publicly delivered.

**Mr John Wilkinson (Perth-Middlesex):** I too would like to recognize the former MPP, Julian Reed, who, as Mr Chudleigh, the member for Halton, said, was a wonderful member of this House, and also at the big House, up at the House of Commons. He also had a wonderful career there.

*Interjection.*

**Mr Wilkinson:** I believe they have a pension; I believe the member is right.

It's an interesting opposition day motion that we have because Mr Runciman has said that he really is calling upon our government to fulfill the promises that we made in the platform. I couldn't agree with him more, personally. The thing that I always find odd is why the opposition is so intent on always reminding us about what they did to this province. If I had the legacy that they had left this province—and it had started with such hope. I always remember Mike Harris. Mike Harris is the reason I got into politics, because I disagreed with him fundamentally. He said, "I'm not the government. I'm here to fix government." I'm sure the member from Beaches-East York remembers that. "No, no; I'm not going to be part of government. I'm going to come from the outside. I'm going to fix things. I'm going to make things better." He started with such promise to his people, and what happened? What happened is that their legacy is in ruins. They have to deal with the fact that they left this province in terrible financial shape, unbelievable financial shape.

What I want to do is talk about our government, because we've been forced to deal with this problem. You have to play the cards that are dealt to you—maybe not the cards you want, but the ones you are dealt. That is the onus we have as government. What I'm most proud of is that instead of being partisan and saying, "Do you know what? The other guys were able to cook the books. Why don't we do that too? Why don't we just take all those little hidden deficits at the CCACs, the hospitals and the school boards; why don't we take that \$10-billion infrastructure deficit that's right across this province, all the money that was not spent prudently over the years but rather hidden away; why don't we do the same thing to the good people of Ontario?" But we didn't do that.

We have introduced a bill that says that the state of the books of this province will be revealed to all people by a third party, our newly empowered Auditor General, six months before the next election so that we are all playing with the same set of cards and we all have the same set of facts. We will never allow the people to be forced to make decisions at the ballot box based on information that isn't correct. That is a fundamental issue that I think goes to the heart of the government I'm proud to be part of. When faced with that choice, we decided to do the right thing. We decided to put an end to the Enron-style accounting this province was suffering from because the previous government was bound and determined to pretend this wasn't happening.

I remember Ernie Eves, a wonderful chap. He had a little trouble with the truth, though. He said in the *Globe and Mail* on May 17, 2003—

*Interjection.*

**Mr Wilkinson:** I say to the member for Lanark-Carleton that I remember him fondly—I see him very rarely. He said, “We are not running a deficit. We have balanced the books of this province for four consecutive years and we’re working on the fifth one.” Unfortunately, he was having trouble trying to get that through.

*Interjections.*

**Mr Wilkinson:** And though I hear the siren call from the opposition—

*Interjections.*

**Mr Wilkinson:** What was that?

I hear the siren call of the opposition. It reminds me—

*Interjections.*

**The Acting Speaker:** I can't hear the member for Perth-Middlesex. I would ask the House to come to order.

**Mr Wilkinson:** I say to my friend Mr Wilson, that's why we have a health care system, just so we're ready for you. We don't want you to get overly excited.

It's beyond dispute that we were left with a \$5.5-billion, maybe a \$5.6-billion, deficit that we had to deal with. What did we do about it? We looked to ourselves as Liberals. We don't believe that the government is supposed to be for some. There are some people who believe you should be to the right. Other people believe you should be to the left. The question is, are you for all? You have to be able to move forward. I know that in my hospital, we find out—and you would just—

**Mr Dunlop:** Just tax and spend.

**Mr Wilkinson:** Now wait a minute. “Tax and spend.” We have a legacy from a rather bitter party to the right of me who believed in hiding a deficit and cutting, burning and slashing. That's what we were left with in this province. We inherited a huge deficit.

If you're going to cut, but at least you don't have a deficit, you can try to make an argument for that. If you say, “We're going to have a deficit, but at least we're going to improve services,” you can make an argument for that. But I tell you, the taxpayers, the people of Ontario, the children of Ontario lose when we have both cuts and increasing deficits. We have to change that,

despite the fact that we were left with a huge problem that we've inherited.

And we're going to make sure Mr Tory understands that he takes over a party which, if I'm not mistaken, sounds a little bit bitter. I don't know—maybe the other members agree with me—but I hear a hint of bitterness there, just a slight hint of bitterness, because they've decided that what they'd like to talk about on opposition day is the legacy that failed this province. That's what we're here debating today, that they have a failed legacy, and that's why I'm so happy to join in this debate.

It's not every time that I have an opportunity, at the insistence of the opposition, to come in and explain to everybody that yes, you're absolutely right, your legacy has failed. We have more debt now than when you took over. We have a mountainous \$50 billion more debt. And what did we get for it? We ended up with our children being caught in the middle, nurses being devalued and people on social assistance who were never given a raise. That's why I'm proud to say that we're always happy to debate your legacy, failed as it is.

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**The Acting Speaker:** Thank you very much. That concludes the debate on opposition day number 3.

Mr Runciman has moved that the Legislative Assembly call upon the government to fulfill the promises made by Liberal Party leader Dalton McGuinty during the 2003 election, according to the original cost estimates as provided by the Liberal Party of Ontario.

Is it the pleasure of the House that the motion carry? Carried.

## ADJOURNMENT DEBATE

### PHOTO RADAR

#### RADAR PHOTOGRAPHIQUE

**The Acting Speaker (Mr Ted Arnott):** I would like to inform the House that there is a late show scheduled, and now I have the script. Thank you.

Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made.

The member for Simcoe North has given notice of his dissatisfaction with the answer to his question given by the Minister of Transportation concerning photo radar lobbyists.

The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes. I recognize the member for Simcoe North.

**Mr Garfield Dunlop (Simcoe North):** Is the parliamentary assistant here? Oh, it's Jean-Marc, yes. Thank you very much. I wasn't sure.

Why I asked for the late show is that yesterday I asked two specific questions to the Minister of Transportation. I'll read it out again:



"My question today is for the Minister of Transportation. Minister, we learned this weekend that your office was working with an agency called the National Campaign to Stop Red Light Running, which in this case was promoting photo radar, what we call the tax grab. Your office was aware that this group is a front for photo radar camera manufacturers, who stand to make outrageous amounts of money if photo radar is brought back to our province. Do you support this action and do you believe that big photo radar companies should be using your office as a promotional tool to promote photo radar and make outrageous amounts of money off of the citizens of our province?"

The minister's answer was, "Let me tell you, I am always interested" in initiatives for public safety.

Everybody here believes in public safety on our highways. I can't think of one person who wouldn't want to make our highways safer, but he didn't answer the question.

The other thing he referred to in his answer was, "The other thing is, I want to point out for the record that the red light cameras were in fact initiated by the previous government."

Tell us something we don't know. We understand that. I know Tony Clement started that program as a pilot project, but I wasn't talking about red light cameras. I was talking about photo radar.

What's disappointing here is that we sit in this House for question period. It's only an hour a day, four hours a week. We sit approximately 30 weeks a year, if we're lucky—25 weeks a year. We get 100 hours of question period.

I've listened to this government through almost three full sessions now since you got elected in 2003, and the only time you ever answer a question is when you get a friendly question from the government side.

*Interjection.*

**Mr Dunlop:** The official opposition and the third party continually ask questions—

*Interjection.*

**Mr Dunlop:** The questions are ridiculous. They're insulting to people watching at home, anybody who does watch the parliamentary channel. It's insulting to the media who sit here and are looking for some comments or some information that they think a responsible Parliament should give.

What's really disappointing is that we don't get any answers. It's irresponsible on behalf of the government. I think Mr Takhar is one of the worst offenders. He simply doesn't ever answer a question. It's always, "Well, I believe in public safety. I'm the Minister of Transportation and oh, yeah, I believe in public safety. Thank you," and sit down. That is what you get from this man over and over again.

From this side of the House, I would like to see a lot more late shows. If we have to have every minister sit in here on a late show to get some answers, I think it's only fair. The Premier is worse than Takhar, actually. He hasn't answered a question this session, except maybe—no, I guess he hasn't had a friendly question.

The bottom line is that we know what the government is up to. They are bringing in photo radar. They've used the municipalities as a tool, through AMO, to ask the municipalities if they would support photo radar. Of course, McGuinty has gone out and said, "Yes, we'll give you cameras if you wish." That all happened at AMO etc.

We know that the next step will be the provincial highways. It'll be back to the tax grab. What is ridiculous about the tax grab is that when the NDP were in power, even the Minister of Community Safety and Correctional Services called the tax grab outrageous, because he knew it was pulling in all kinds of money from the taxpayers of our province. It wasn't targeting aggressive drivers. It wasn't targeting those who are under the influence of alcohol. It was simply grabbing money out of the pockets of taxpayers in our province. I'm opposed to that.

What I would like the Minister of Transportation to do is at least come forward and be responsible and answer some questions, and say yes or no, that we will or we will not be bringing back photo radar to our province.

**Mr John R. Baird (Nepean-Carleton):** Point of order.

**The Acting Speaker:** I cannot accept points of order during a late show. Take your seat.

**Mr Baird:** It's not a late show.

**The Acting Speaker:** Yes, it is. Please take your seat.

Are you finished? I recognize the member for Glengarry-Prescott-Russell.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I'd like to thank the member for his question. Let me tell you, we are committed to the safety of our citizens in Ontario on any of the provincial highways, and also on municipal roads. But we are also making sure that if the municipalities are going to go ahead, it's going to be left to them if they decide to go ahead with photo radar in their own municipality. We want to make sure we have the best cameras available to them. This is why we are meeting with the stakeholders.

Let me tell you that the former pilot project was started by Minister Clement at the time, and this all came about after a fatality that occurred in my own riding, in Orléans. A resident of Rockland called Michel Laporte got killed at the corner of the 10th Line and Innes Road in 1997—to be exact, on May 8, 1997. Mr Laporte launched a campaign with my good friend Mike Colle to make sure we have in place security in every municipality of this province.

The minister at the time the bill was passed, this pilot project, was Minister Norm Sterling, the member for Lanark-Carleton. He came up with the bill, which got royal assent on November 19, 2002. That year, 1997, there were five fatalities in the section of Ottawa called Orléans, and three happened at the same place on Innes Road in Orléans. Mr Laporte says that if there was a red light camera in place, we would reduce the number of accidents that would occur in a community like Orléans, and even Toronto or Hamilton, Sudbury—anyplace.

I could tell you that the fact that we have the proper camera in place, we have reduced enormously the

number of fatalities that occur in communities. Let me tell you, when he refers to photo radar, the government at the time, the NDP, introduced photo radar and the Tories cancelled that photo radar. Why? I agreed with you people when you cancelled it, because only Ontarians and those who had a licence plate on the front of their car were getting caught. It would mean that Quebec residents who would go at 150 kilometres on the 401 would never get caught. They couldn't get them. So I agree.

But today, this is why we are meeting with those companies. We want to make sure that we have the proper technology in place to respond to the need of those municipalities, because municipalities are concerned with the safety of all their citizens. If you look at the city of Toronto, right here—just go and see the police chief in Toronto. He would tell you how good it is for the community to have photo radar. This is why we are going to give the proper tools to all the municipalities in Ontario, and if they want to go ahead with photo radar, they'll have the opportunity, but we will make sure that

photo radar meets the requirements of this government. The McGuinty government always said we had to make sure we had the proper equipment.

Let me tell you, a Transport Canada report came out last week that said that we in Ontario have the least number of fatalities on the road right now in the whole of Canada: 6.9 fatalities per 100,000 population. So it is the best record, and we want to improve it yet, because last year was better than the previous year, but the year before that was really bad. So we have to improve the security of all people.

Oui, monsieur, je dis actuellement que nous allons faire sûr qu'ici-même en Ontario, nous avons en place le meilleur équipement possible pour répondre aux besoins de la sécurité de tous nos piétons, de tous nos citoyens.

**The Acting Speaker:** Thank you very much.

There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 6:45 pm.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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		Northumberland	
		Oak Ridges	

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Simcoe-Grey	Wilson, Jim (PC)		
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 16 November 2004

Mardi 16 novembre 2004

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 16 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 16 novembre 2004

*The House met at 1845.*

## ORDERS OF THE DAY

### GREENBELT ACT, 2004

#### LOI DE 2004 SUR LA CEINTURE DE VERDURE

Resuming the debate adjourned on November 15, 2004, on the motion for second reading of Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.

**The Acting Speaker (Mr Ted Arnott):** When we last dealt with this matter, the member for Toronto-Danforth had the floor. I'm pleased to recognize the member for Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** I want to pick up where I left off yesterday afternoon and talk about some of the problems with the greenbelt and how I'm hoping that the Liberals will see the consultations that they're holding right now and the committee that will take place after those consultations to make amendments. I certainly will be making amendments to back up those particular problems that I'm going to talk about tonight, and how we must, indeed, amend the Greenbelt Act in order for it to do what it says it's going to do. I'm going to talk about some of those issues and problems tonight.

For instance, and this is an issue that I've talked a great deal about, the big pipe. I can't tell you how much I object to the big pipe vis-à-vis this act before us tonight. I can't use the "h" word, I know, Mr Speaker, so I won't use it, but the greenbelt, the big pipe and the Liberal government equals the "h" word. You know what I mean. That is a serious problem. Now, a lot of people aren't paying a whole lot of attention to it, except for the people in the area. I just want to point out again what the big

pipe is and why I have to use the "h" word in the context of this discussion tonight.

You see, two stated objectives in the greenbelt plan are—that's section 5, if anybody has the act in front of them—one, "to control urbanization of the lands to which the Greenbelt Plan applies," and two, "to provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the greenbelt area."

Despite those stated objectives, just very recently, much to my chagrin—and I certainly raised it many times in the House—the government quietly on Friday afternoon before a long weekend approved the building of a massive sewer pipe to move 740 million litres—just try imagine how much water that is—of sewage from communities within the greenbelt to a Pickering treatment facility.

This massive sewer pipe requires the removal of 66 billion litres of water from an aquifer at the edge of the Oak Ridges moraine in 2004. This is one of the largest water-takings in Canadian history.

And now, after approving this massive and environmentally destructive project designed to fuel—leaving aside the water-taking and the environmental problems here, this pipe is actually designed to fuel, not reduce, sprawl on to greenbelt lands. In fact, in this case, it's the Oak Ridges moraine we're talking about here.

1850

The government wants Ontarians to believe it is seriously, with this bill, concerned about curbing sprawl and protecting the environment. I've got to say, there's a big problem with optics here when the big pipe is being allowed to go ahead at the same time as this bill is going forward. I think this is something that needs to be fixed.

**Mr Norm Miller (Parry Sound-Muskoka):** Mr Speaker, on a point of order: I know the member for Toronto-Danforth likes a quorum to be present.

**Ms Churley:** I do.

**The Acting Speaker:** Interesting thoughts to impart upon the House, and I would ask the staff if quorum is present in the House?

**The Deputy Clerk (Ms Deborah Deller):** Quorum is not present, Speaker.

**The Acting Speaker:** Call in the members.

*The Acting Speaker ordered the bells rung.*

**The Deputy Clerk:** Quorum is now present.

**The Acting Speaker:** I once again recognize the member for Toronto-Danforth.



**Ms Churley:** If the Liberals were legitimately interested in maintaining the integrity of the greenbelt and protecting the environment, dealing with urban sprawl and our scarce water resources, they would never have allowed the pipe extension to go ahead. I believe, despite the lack of attention to this issue these days, that it is going to eventually come back to haunt this government well after this bill passes, should it indeed pass. So I just want to point out once again that even though nobody else is talking about the big pipe, I will continue to do so, because it is going to invite and increase urban sprawl, the very thing that this bill is supposedly trying to stop.

I'm going to talk about some of my major concerns with the Greenbelt Act, and indeed they are not just my concerns. I know that the government expects this. The Liberals have been in opposition, and they know what happens with the parties that are in opposition: We oppose, we point out the problem and try to score points. That's the job.

I know Mike Colle is here tonight, and he was one of the best at it, I've got to tell you. I know that if Mr Colle were on this side of the House now, he'd be working with me, going after whoever's in power, making sure that the government of the day understood the holes and problems with this legislation. I also know enough about Mr Colle, who did, by the way, a very fine job of bringing the previous government's feet to the fire on the Oak Ridges moraine. I am not going to take that away from him. I believe he devoted his life to it, and I hitched on from time to time—because I had a lot more critic areas—and did my bit as well. We were very determined to save the Oak Ridges moraine. Of course, he's not going to be surprised to hear me say now that I was extremely disappointed that after the Liberals got into power, they're breaking their promise on the—

**Mr Ted Chudleigh (Halton):** On a point of order, Mr Speaker—

**Ms Churley:** Mid-sentence he got me.

**Mr Chudleigh:** —I don't believe there's a quorum present.

**The Acting Speaker:** Is there a quorum present?

**The Deputy Clerk:** Quorum is present, Speaker.

**The Acting Speaker:** We find that a quorum is present, and I once again recognize the member for Toronto-Danforth.

**Ms Churley:** I think it's going to be one of those nights.

I did ask earlier, as an aside, for unanimous consent that we adjourn the House tonight, because, as you know, the New Democrats don't support sitting in the evening, debating these important bills anyway. There's no question period. It's two in one, a session where there's no accountability from the government. We always vote against it. Nonetheless, we're here. I did ask for unanimous consent. For instance, I'm one of the female members, and the women's issues critic of the NDP. The Speaker—and I applaud the Speaker for doing this tonight—is holding a reception for women members. I asked for unanimous consent to not sit tonight so I could go, because this is my bill and I had no choice but to be

here. That was turned down by the Liberals. So I'm disappointed. I say to the Speaker, who may be watching—I'm sure they're all watching this on TV—that I regret not being able to make it tonight, but it's not my fault. However, I am here discussing very important public policy.

**Interjection:** It's part of your job.

**Ms Churley:** It's part of my job; that's right.

I'm going to talk about—I was mentioning the broken promises on the 6,600, I believe, new houses that the Liberals promised in the election they were going to stop, no matter what. But we found out—it was admitted by the minister in estimates committee—that while that promise was still being made, before being sworn in, the new Premier's chief of staff was working, negotiating to try to find a way out of that promise so those houses could be built. I find that—duplicious is the word we're allowed to use here—not fair to the voters, with all kinds of other broken promises. But that one they knew they were going to break, and were in the process behind the scenes, breaking it without telling the people. Anyway, that was very disappointing.

I do believe that to some extent, however, one of the positive things as a result of that was that the government knew it was not looking very good on the green side of things. I think to some extent that led to them trying to work really hard on a greenbelt. I know it's improved greatly. The Tories are into—

**Interjection.**

**Ms Churley:** That's right. They want to pave more and we want to save more. The NDP wants to save more. And as I said, I'm proud of that. They want to pave more; we want to save more. And the NDP wants the Liberals to save more.

I will tell you what is wrong with this bill and what you can do to actually save more. And may I say, now that the finance minister is in, I mentioned last night that one of the things that not only I noticed, but Susanna Kelley from TVO noticed when she and Robert Fisher talked about the greenbelt—she looked at the map and pointed out that in the Vaughan area—the area that, by coincidence I'm sure, the finance minister is the member for—well, there's been this huge exemption on prime farmland in that minister's riding. I'm going to be looking into that a little further. I just want to warn the minister that there's something a little weird.

Now, he may be really disappointed in that, and may be right now behind the scenes, trying to get that land included in the greenbelt, because it definitely should be included. I'd like to know what happened there. I'll be looking into that a little further, but I want to congratulate Susanna Kelley who, I must say, has been one of the few reporters—and this is no knock on all of the other reporters here, because everybody's really busy, but she has been paying a great deal of attention to the whole land use policies and new legislation from this government and has really been exposing some of the problems and holes in the legislation that has been introduced to date. I applaud her and I applaud TVO for that. Of

course, it was Ms Kelley who pointed out—I hadn't noticed that at first—that there's a certain swath of land in the finance minister's riding that has been exempted. I don't know why, but we'll be looking into it.

**Hon Greg Sorbara (Minister of Finance):** How about King?

**Ms Churley:** Oh, King. Let me tell you about King. Talk about problems there.

Anyway, I'm going to start telling you about some of the problems, besides that, that I believe we have to fix if this greenbelt is actually going to work.

We've got 143,000—now listen to this, folks, especially to all the Liberal members. If you think the greenbelt is actually going to stop urban sprawl, I want you to listen carefully to this. Because if this goes ahead, we're going to see—well, I'll tell you in a minute what we're going to see. Let me explain this to you. Some “143,000 hectares have been left open for (future) development within the greenbelt plan.” That's an area about 75% the size of all currently developed GTA lands. There's too much room for continuing sprawl within the greenbelt area. It's enough for 60 to 70 years, and that's according to the Neptis Foundation—and you all know I mentioned them previously; a very respected foundation that's been doing credible research on land use policy for a number of years now.

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The amount of land designated for future development in the greenbelt area has absolutely got to be significantly reduced. I am telling you, if it is not reduced, you are going to have this question which is being raised now by the Neptis Foundation: “Will greenbelt halt sprawl or make it much worse?” That's a good question, because if you read that article and find out what's going to happen—and I described it last night as, you know, you've got the greenbelt; it's all very green. Mr Speaker, I don't know if you were here yesterday to hear this description, so let me explain it to you.

You've got a greenbelt, which is very nice and green, cinched nicely around the waist. It's looking good. And then you've got the nice brown urban areas that have already been nicely developed up above that. But then underneath this nice greenbelt you've got this pale, exposed bulge hanging out around that belt. It doesn't sound very attractive, does it? But that is, I think, a pretty good description of what you've got here because, you see, that bulge hanging out, exposed—it's exposed in the sense that it's outside the greenbelt. A lot of it is prime agricultural land. It's exposed out there and it's going to be allowed to be developed, and that needs to be brought in as well, nicely cinched in under the belt so it's all part of that nice green area. Right now, it's just hanging out there. It's quite the bulge hanging out there, and it's a real problem.

I know it's not a very attractive analogy, but that's the way I actually see it. We've got to deal with that huge bulge. Let me tell you something about what Neptis has just said about this. This, by the way, was in the Sunday Star, courtesy of Laurie Monsebraaten, who wrote this

story in great detail. She shows this bulge on the map that I'm talking about. What they say is that they've, “just completed a detailed analysis of areas already zoned or designated for development within the GTA ... and plotted this area on a map.

“It shows vast green fields open for development in northeast Brampton and northwest Vaughan, as well as significant tracts around Milton, in north Oakville and Pickering.”

I will probably read more from this, if I have time, as I go on.

Leaving the present amount of future development lands within the greenbelt plan reveals the Liberals' stated planning objectives under the Places to Grow strategy: “Increased urban density, reduced infrastructure costs, decreased sprawl, less transportation-based”—

*Interjection.*

**Ms Churley:** But listen. It sounds good. “Less transportation-based pollution and increased protection for environmentally significant lands and prime agricultural farmland.” It leaves all these nice words as thoroughly hollow, I say to the minister who's here, because we're talking about 143,000 hectares of prime agricultural land out there that is going to be developed.

At present, the greenbelt area excludes south Simcoe. That's the region—and I've brought this up before in the Legislature; I've brought it up time and time again. When the government introduced its greenbelt legislation, with great fanfare, I congratulated the stakeholders. They worked hard with the government and I think they got further than they ever thought they were going to get. Now I know that they're supporting the government, but they're also working hard to get these amendments made.

Let's talk again about south Simcoe, because when you hear us talk about leapfrog development, that's one of the prime areas we're talking about. Let me tell you again what that's all about. That's a region already under significant pressures from urban sprawl. Proposed developments for south Simcoe include a proposal for the construction of an entire city. Did you know that? We're talking about up to 100,000 people. That's massive by any scale. Furthermore, these developments are being proposed on lands—are you ready for this?—not designated as urban residential in the county of Simcoe's official plan.

What in the world is going on here? Without action, south Simcoe will be a principal site where development leapfrogs over the greenbelt—that's what we're talking about here—and south Simcoe absolutely, without a doubt, needs to be included in the greenbelt.

I'm sure the Minister of Public Infrastructure—I believe he's winking at me over there, but in the sense that he agrees. Let me clarify that. I think he's trying to tell me that he agrees with me on this, and he's going to be working on it.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I am going to save it for questions and comments.



**Ms Churley:** I'm pleased to hear that, because if this leapfrog issue is not dealt with, it really will make a farce of this piece of legislation. That's got to be done.

I have heard through the grapevine that they're looking at it, and I hope the pressure that we keep up—the environmental organizations, myself, and anybody else who wants to; and other opposition members raised this. Let's keep the pressure up. I say to people out there, let's keep the pressure up on the Liberal government on this development in the Simcoe area and leapfrog development. I believe, with the pressure being kept up on this one, we can win it, because it is so bad. It is so incredibly bad that this has been excluded from the greenbelt that I don't think they're going to have any choice. But the pressure needs to be kept up.

So the greenbelt area needs to be amended to begin at the edge of the urban boundaries for the GTA and Hamilton and extend outward to include Simcoe south, Wellington—Mr Speaker, I'm sure you would agree with that—and Waterloo counties. If you really want meaningful urban intensification goals to be achieved and sprawl thwarted, you have to do this. Otherwise, no matter how much you talk about it, it's not going to be effective in preventing urban sprawl.

I've spent a great deal of time studying this bill, perhaps more than most; I'm sure more than most, because it's one of my passions, environmental issues. I've been following this issue from day one. When we were in government, we started the process. We set up certain bodies to start looking at how to stop all of the urban sprawl that was going on in the GTA. I've been following it very closely. I was very interested when the government said that they were going through with greenbelt. I sat on the committee. I made some amendments, in fact, that dealt with these kinds of issues that I'm talking about, and the government members turned each and every one of them down. But I will be attempting that once again when we—

**Hon Mr Caplan:** We're shocked.

**Ms Churley:** We're shocked, yes, that the government majority on the committee turned each and every one down. But I thought these guys were going to be different, because, you see, the Liberals ran on "Choose change," and they talked a lot about what happened when the Tories were in power and the majority on committees ruling the day and not understanding most of the issues before them, but being told by the minister how to vote. And that's exactly what happened in this committee, on every single amendment I put forward. I have to say that I think the parliamentary assistant worked very hard to try to give answers as to why they were not supporting my amendments.

**Hon Mr Caplan:** They were not good amendments.

**Ms Churley:** They were excellent amendments, believe me. And the justification, as hard as she tried—there were times I thought she was a little embarrassed—

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** No.

**Ms Churley:** "No," she says—by the minister's statements that she had to read out as to why the Liberals were not supporting these good amendments.

Let me tell you a little bit about the legislation itself and some of the issues that the government members—and you will hear them talk about some of the good things about the bill. For instance, yesterday afternoon when we were debating this, I believe it was the minister himself who talked about the advisory council that's been set up: "Don't worry. Everything's going to be OK, because we're going to have an advisory council."

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I want to point out—and I'll be making an amendment on this as well—what the advisory council actually says, and you can look this up. Have you got the bill in front of you? Look this up. The Greenbelt Act states—

**Hon Mr Caplan:** It's all up here.

**Ms Churley:** It's all up here. Sure. You repeat with me. It states, "The minister may"—m-a-y; not "will"—"establish the Greenbelt Advisory Council. Keep listening. I think we could change that to "shall." You'd agree with that. Its membership and terms of reference are then determined by the minister. That's not very strong. We want to see "shall," and we want to see exactly what it is the minister has in mind, when it comes to "membership and terms of reference are then determined by the minister."

I would advise you, if you've got your act in front of you, to pull it out and see section 15 and subsections 15(2) and 15(3). Start cribbing in the areas—I'm sure Liberal members would agree with me—for what that amendment might look like.

Some of the other issues: The Greenbelt Act needs an arm's-length institutional anchor, a mechanism for accountability to Ontarians. This act does not have that. Perhaps, if the Liberals are on the ball, they'll beat me to this and make these kinds of amendments. But that is not in this act.

The implementation and the integrity of the greenbelt plan has been left, believe it or not—I don't think the Liberals really meant to do this. That's why I think that maybe they'll bring their own amendment on this. The legislation just isn't good legislation in many ways. That's no slam on the staff, who I know worked very hard on this. But I believe that their instructions were given in such a way that some of these things weren't dealt with properly.

*Interjection.*

**Ms Churley:** No, I would never do that.

These are real, serious holes that need to be fixed. So the implementation and integrity of the greenbelt plan has been left without a body beyond direct political control which can serve as a guardian for the greenbelt. We need to see that.

**Hon Mr Caplan:** What does David Donnelly say?

**Ms Churley:** I can tell you what David Donnelly will say about the legislation. Let me tell you this. They are so excited. They worked with the government to get as far as we are now, and they are supportive of the greenbelt,

as am I. But believe me, if you want to talk about David Donnelly, Rick Smith, Linda Pim and all of the others who worked hard with the government to bring this legislation to where it is today—of course they want it to pass. But they want to improve it, too. They absolutely want to improve it. We expect that we're all going to work together to make this legislation work. That's the point of why we're debating this.

We have to make sure that there has to be a body beyond direct political control, like the Niagara Escarpment, which can serve as a guardian for the greenbelt. That is absolutely critical. We've learned those kinds of thing the hard way.

The Niagara Escarpment plan, as I just mentioned, has the Niagara Escarpment Commission to monitor its enforcement and maintain the plan's integrity. We've learned that without that and even now—I'm not going to spend a lot of time on this today, but it's another one of the hot spots that has been ignored in this bill, and that's the Castle Glen town that's going to be built on the Niagara Escarpment, which the Liberal government is allowing to go ahead. This is the first live-year-round town that's going to be built in the Niagara Escarpment protected area since the Conservative government brought in the protection in the 1970s. Under a Liberal government, in 2004, they give the go-ahead for a year-round town on the Niagara Escarpment. There are a number of reasons why that was allowed to go ahead.

I throw that in because that happened even with a Niagara Escarpment Commission to monitor its enforcement and maintain the plan's integrity. Even with that in place, things like Castle Glen can happen. Taking that as an example, I've seen, over the years, all kinds of proposals, people pushing to have all kinds of development on the Niagara Escarpment. It was this commission, to its credit, for most of the time, that was able to continue to protect that area.

So at a minimum, the act must clearly state that the minister—and there's this word again, "shall," not "may,"—"shall establish the Greenbelt Advisory Council, which must be mandated to develop and submit annual reports to the House regarding the progress and problems of implementing the greenbelt plan, and whether the Greenbelt Act is meeting the objectives as laid out in section 5 of the act. Otherwise, how are we going to know? You can't just leave that hanging out there; you need to have these bodies in place.

I want to talk a bit about settlement areas: "Settlement areas within the protected countryside designation of the greenbelt are required to bring their official plans into compliance with the greenbelt plan no later"—and this is really important, so listen carefully—"than the date respective councils are required to undertake their next official plan review." That's in section 9.

Let me read that again to you: "Settlement areas within the protected countryside designation of the greenbelt are required to bring their official plans into compliance with the greenbelt plan no later than the date respective councils are required to undertake their next

official plan review." Now, let's talk about that for a minute. As official plans are to be reviewed under the Planning Act every five years, these settlement areas which have recently reviewed their official plans, and let's take, for example, the town of Halton Hills—

**Mr Chudleigh:** Where?

**Ms Churley:** Halton Hills, which just recently reviewed their official plans. They will not have to comply with the greenbelt plan for another five years. That is a big problem that needs to be dealt with.

I want to talk to you about municipal compliance. Five years is too long for municipal compliance. I would say that it should be reduced to at least two years. It is really critical if this is going to work—I can't tell you how critical—that the Greenbelt Act contain enforcement mechanisms. It's absolutely critical. We know we can put the best laws in the world on paper. We've seen it happen, time and time again. If there are no enforcement mechanisms, then it all falls away. So the fact that it contains no enforcement mechanisms or penalties if municipalities fail to comply within the stated five years is a major problem. I'm hoping that government members, who I know are listening carefully to my concerns about this, are taking notes and will look into that.

Furthermore, unlike the complementary legislation, Bill 136, the Places To Grow Act 2004—I've got a lot of problems with what's going on with the Places To Grow Act. But let me say this: The Greenbelt Act contains no provisions for the minister to amend municipalities' official plans to bring them into compliance with the Greenbelt Act. The complementary legislation does do that.

In summary about this piece, there is a very serious lack of public accountability in this act. It needs teeth to work, so not only do we have to expand it and say more, but the lack of accountability is critical to be fixed, and I hope that the government will do that.

*Interjections.*

**Ms Churley:** You know, there's a little gentle heckle over there saying it's groundbreaking legislation. What I'm saying, in all seriousness, is it could be groundbreaking legislation. It isn't now, it really isn't.

*Interjection.*

**Ms Churley:** Oh my heavens, you know, I find it incredible that political parties when they get stuck and decide to support their government, no matter what the issue is, do not listen when things are pointed out that show them that they're going to be a failure. This is going to be a failure if you don't include these things. Mark my words: it's going to be a failure. We want to see these—

**Mr Mario G. Racco (Thornhill):** Why would you worry about that? You don't like them.

**Ms Churley:** Well, he says, why would I worry about that, that I don't like them. That's beside the point. I like the environment. I believe in protecting prime agricultural land. I believe in stopping sprawl. I believe in stopping gridlock. I believe in trying to do something about the poor air quality.



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Environmental issues are what got me into politics. I still passionately care about environmental issues in this province. I don't care which government is bringing it in: I will support legislation and I will praise it to the high heavens if I believe a government is doing the right thing. In this case, they're not going far enough, and there are huge holes in the legislation that have to be fixed or it won't work. That's what I'm trying to say here tonight.

There's a serious lack of public accountability in this act and it needs teeth. It needs real teeth. It has no teeth. It's toothless at the moment. The minister absolutely must have the powers, if necessary, to bring the official plans of municipalities into compliance with the Greenbelt Act.

Then there's the fact that the government needs to announce how they will offset infrastructure costs in smaller settlement areas within the greenbelt, seeing as their ability to grow will be curtailed. You know, some people just want to say, "OK, let's just do the greenbelt and let's not worry. Let's whisper about this. Let's not worry about all these problems. It'll work out." But we can't do that, because whenever you talk about land use policy, when you start making changes to how you're going to use land, these things—how you deal with the farmers, how you deal with the small towns—are absolutely critical or, again, it won't work out. We know that the Tories made municipalities even more dependent than they ever were before on property taxes and development charges to pay the bills for education and all the other community services.

I'm going to say to the Liberals, I understand. We sat here in opposition together and watched the Tories down-load like crazy to the municipalities, and as a result we saw more and more that these towns were brought to their knees and still are, and they are now entirely dependent on property taxes and development charges to pay their bills. So what's happening now, without really fixing that—and I know it's a challenge. I understand that. When a government was in power for eight years and did a lot of destruction and a lot of bad things happened, it's hard to turn some of these things around. But you can't ignore this problem in this context. The Liberals are now telling these small settlement areas in the greenbelt that their growth will be frozen for the next decade, but without a corresponding increase in new financial measures to offset past revenues achieved through growth.

I understand that very recently the Liberals joined with the feds and announced new funding for municipal and rural infrastructure projects. I believe that was some \$298 million each over the next five years, leaving the municipality to fund one third. The program applies to centres under 250,000 in population. The funding mechanism applies to the entire province. I don't want to hear about that tonight, because that's going to be your answer. But let me make this clear: It does not address the specific situation of small settlement areas under the green plan. We need a plan to be able to deal with that.

I don't believe it's what these small municipalities and towns desire. It's not by design that they became so dependent on development fees. That's wrong. There's something really topsy-turvy about that. The only way we're going to be able to wean these small communities and rural areas off the need for development fees is to make sure that the proper infrastructure funding and social services funding is there to sustain them.

So without increased revenues to fix infrastructure and maintain services in smaller settlement areas, property taxes are inevitable, and that's always the concern to people. I'm hoping that's something we will see the government address, because I think you will find much less opposition, and the less opposition we have on greenbelt, the better off we all are in terms of moving forward.

I'm not going to spend a lot of time on agriculture tonight, because I know that our critic, our leader in fact, Howard Hampton, and our member for the Niagara area have some things to say on this, but I'm going to go into it a little bit. Again, when we're talking about land use changes like this, we can't ignore those who are going to be impacted. It shouldn't stop us from moving forward. In fact, I am saying we should be going even further and saving more. But certainly, we need to hear the concerns and address them.

Protecting farmland does not protect farmers or safeguard Ontario's important agricultural industry. Farmers do want to farm, but with the global crash in agricultural commodity prices, combined with the lingering effects of BSE in the North American cattle market, we know many farmers are on the brink of disaster. So protecting farmland is simply the first step.

We talk about this within the context of the greenbelt and without. Perhaps the greenbelt coming forward makes it even more urgent that the government address those issues. If we want the guardians—and we do, and most farmers want to act as the guardians of our prime agricultural farmland—we have to safeguard important environmental benefits for present and future generations and not have them need to sell to developers. They want to be able to make a living on their farms. Certainly, I believe for most farmers who got into the speculative market, it wasn't by design; it was by necessity, and that's really bad and it's been going on for a number of years. So I want the government to address this issue seriously.

I am going to support moving forward with the greenbelt, no question about it, with amendments that will improve it, but also, we are going to be calling on the government to do something to deal with the serious issues facing especially our smaller family farms, but all farmers in this province.

I want to give you one example. In the early 1990s, even in a recession, the NDP government introduced what we called the Niagara tender fruits program. What that did was protect specialty croplands in the Niagara region through providing funds in exchange for agricultural covenants that run with the land. The budget was really modest. It didn't actually cost a whole lot of

money. It was about \$50 million. I remember our deciding to do this. It really did help protect the tender fruit lands from urban development. The Harris government killed this program on July 13, 1995. We need to see that program brought back, especially now. Those are the kinds of things that are really critical to do as we move forward. We can look at conservation easements, working with the federal government to amend the tax laws to allow agricultural land trusts. There are all kinds of things that we can and should be looking at.

I want to talk briefly about aggregates. It's something that I raised at committee. I made amendments, which were all turned down. It's a really important piece here that, again, we need to fix. The amendment was turned down, but I'm going to try again when we take this to committee.

The greenbelt area is a major source of aggregates for the GTA market and this, unfortunately, will continue under the greenbelt plan. The greenbelt plan does impose a few new conditions on them, especially pertaining to development of aggregate operations in significant wetlands—and that's defined in the provincial policy statement—and in the habitat of significant threatened or endangered species. But effectively, except for those few areas, aggregate extraction will continue unabated.

So the proposed provincial policy statement draft policies which municipal planning decisions shall be consistent with—and I applaud the Liberal government for changing that back. You'll recall when the NDP was in government, we brought in the green Planning Act. One of the first things the Tories did was get rid of that and change wording. They made it even weaker than the previous Planning Act. They changed it from "shall be consistent with" to "have regard for." That was a huge problem and the Liberals did change that back, which is good. But "shall be consistent with," following the passage of Bill 26 provides an even stronger assertion of the importance of aggregate development close to market than under the Harris-Eves government.

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The draft provincial policy statement adds the following: "... demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, will not be required, notwithstanding the availability, designation or licensing for extraction, of mineral aggregate resources locally or elsewhere."

The government's flawed approach of attempting to maximize access to new aggregate supplies while taking virtually no action on conservation of aggregate resources is environmentally uninformed and is in stark contrast to other jurisdictions facing similar conflicts between demand for aggregate and the need to limit the impact on groundwater supplies, prime farmland and the environment. All you have to do is turn to the United Kingdom, Sweden and Denmark, which have adopted policies to reduce the demand for aggregates and increase recycling and substitution. Environmental taxes or charges have been imposed to reduce.

In fact, the Environmental Commissioner has pointed out more than once that this is a big problem in Ontario. There needs to be far more recycling, and this Greenbelt Act doesn't deal with it except in very small ways. We need to have that changed. It's just not acceptable, absolutely not acceptable. If this greenbelt is going to be viable and if people are going to believe you, this is going to have to be dealt with.

I want to talk about the future interregional transit links or transportation corridors, ie, major roads—let's call them what they are—highways through the greenbelt. The Greenbelt Act explicitly states that no municipality or planning authority shall undertake a public work or undertaking that conflicts with the greenbelt plan. That's in clauses 7(3)(a) and (b)—look it up. But there is nothing in the Greenbelt Act that states that provincial public works or undertakings must conform to the greenbelt plan. Is this because the province, based on mapping in the Places to Grow discussion documents, intends to develop future interregional transit links, ie, highways, through the greenbelt? I think so.

**Hon Mr Caplan:** Yes.

**Ms Churley:** He says yes. Well, let me say this to the minister: To protect the integrity of the greenbelt and to achieve the objective of intensifying development within existing urban boundaries, the act needs to include provisions to ensure that all provincial public works and undertakings conform to the greenbelt. That's a no-brainer. That's another amendment that I made at committee, which was turned down. You're building the infrastructure. If you build it, they will come. You can't be building these huge infrastructure projects through the middle of the greenbelt. It's going to cause development. That's what happened.

**Hon Mr Caplan:** No transit through—

**Ms Churley:** Talk about transit. I wish I had more time, Mr Speaker. I'm going to run out of time.

**Mr Gilles Bisson (Timmins-James Bay):** Unanimous consent.

**Ms Churley:** Unanimous consent—give me more time, because I want to talk about transportation. That's another piece, a huge piece. I'm glad the minister responsible for infrastructure, and he's very responsible—he's responsible for infrastructure, and that's what's going on here.

That's not good enough: no transportation plan. One of the first things I noticed when the greenbelt was announced is that—

**Hon Mr Caplan:** It's coming.

**Ms Churley:** Oh, it's coming. So we're being asked to pass this bill without the transportation plan in place. All we know for sure is that there are more huge highways coming. So we've got the big pipe up in King City. Oh, yeah, let's see some trains, and let's see far more public transportation. We want to see that plan in place.

**Hon Mr Caplan:** You don't want transit?

**Ms Churley:** Absolutely, I want to see transit expansion. I'm just waiting. I want to see it. We need to see that plan.



**Mr Garfield Dunlop (Simcoe North):** On a point of order, Mr Speaker: I'd be willing to move that we allow the member from Toronto-Danforth an extra 45 minutes in her leadoff speech. I'd ask for unanimous consent to do that.

**The Acting Speaker:** The member for Simcoe North is asking for unanimous consent to allow the member—

I hear a no.

The member for Toronto-Danforth.

**Ms Churley:** I want to thank the member for trying to give me that opportunity, because I actually could go on for another couple of hours on this bill. No kidding; I have a lot to say about it. But I think I did cover some of the most urgent aspects of this bill that I want to see the government deal with in committee.

I want to say very clearly to the government that I want to support the greenbelt legislation. I want to support the greenbelt legislation. I want to see the government at committee—they're out consulting now, and I've heard from people who have been there that it is not just me saying this. In fact, some of the major supporters from the environmental community are saying the same things—that this is good but it needs to go further—and they're pointing out the same problems I am pointing out tonight, and more. The good news is that this can be dealt with. There are ways to bring in amendments to plug the holes and make this truly world-class legislation.

I want to be in a position to stand up and congratulate the Liberal government for bringing in world-class greenbelt legislation, but I have to say that if the amendments I'm suggesting tonight, and some more, aren't passed, it will be a mediocre attempt at bringing in greenbelt legislation.

Furthermore, as this article that I was hoping to get back earlier states, "Will Greenbelt Halt Sprawl or Make it Worse?" That is a very serious question being asked. If these holes aren't filled and if the leapfrog piece of it in the Simcoe area is not dealt with and all this land is developed—I'm trying to find the number here, but I don't have much time—then we will not have an effective greenbelt and we'll continue to see sprawl.

**The Acting Speaker:** We have some time for questions and comments.

**Mr Racco:** The comments made by the member from Toronto-Danforth are encouraging. I hope the Minister of Municipal Affairs will take her comments, and I trust he will, so that we have the NDP supporting such important legislation when it comes to a vote.

I must say, though, that I am a little concerned with the comments made by the member from Toronto-Danforth. After all, she was a member of the NDP government in 1985 to 1990 that decided to have landfill sites instead of the area we are going to turn into greenbelt. The NDP wanted to dump garbage on those lands that, today, the Liberal government wishes to turn into a greenbelt of 1.8 million acres.

I should remind this House that in those days, my municipality, the city of Vaughan, which at the time had one of the largest dumps in North America, had to have a

number of protests, in fact at the office of the then leader and Premier of this province, Bob Rae. The people were significantly offended by the NDP position in regard to landfill garbage. Of course, the member should remember those things and not question that this government is going to turn the lands they wanted to save for landfill into a greenbelt, which you and I and many generations to come will be able to enjoy. No other government in this province has ever done what the McGuinty government is doing in Bill 135, the Greenbelt Act.

**Mr Miller:** I'm pleased to rise today to comment on the speech by the member from Toronto-Danforth about Bill 135, the greenbelt legislation.

I don't think there are too many people who would disagree with the idea of protecting farmland and making a greenbelt in Ontario. Certainly I'm in favour of saving farmland. Driving into places like Oshawa, I note new subdivisions being built on prime farmland. I think that is a huge mistake in the long run. I'm in favour of more intensive development in cities, but maintaining pockets of green area. I'm in favour of relying more on walking and less on the automobile. However, we also have to be concerned about property rights and about the rights of the farmers who are going to be drastically affected by this bill, which basically brings expropriation without compensation.

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I know I've seen comments from the Ontario Federation of Agriculture. They are very concerned about farmers who may not be able to finance the crops after this legislation comes into effect because the value of their property has been cut drastically. What about the farmer who has part of his property that he couldn't grow something on anyway but wants to sever a lot off? How is he going to be affected? How are property rights going to be affected in that situation?

What about the leapfrog effect for cities like Barrie, and the effect on the transportation links between Toronto, Barrie and other areas beyond the greenbelt? I think that's something that needs to be taken into consideration.

What about an economic plan to go along with the greenbelt as well? I think that's missing. It was part of our Smart Growth plan, but seems to be missing in this greenbelt plan. I think this bill has some serious flaws. It does need a major overhaul. At the very least, it should be going to committee to get many amendments.

**The Acting Speaker:** Questions and comments?

**Mr Bisson:** Listen to those sirens out there. I don't know what's going on out there. They probably heard that I was speaking. That's probably what it was.

**Ms Churley:** They're coming to take you away.

**Mr Bisson:** There used to be a song about that in the 1970s, "They're coming to take me away," but I'm not doing it. I'll talk about the greenbelt.

Two things to the members of the government: I just want to be clear that we generally support what the government is doing in this particular bill. We believe, as we always have, that we need to be able to protect those

areas that are sensitive in this part of the province in order to make sure that those areas are protected for future years, in regard to making sure that we don't pave over everything that can be paved or develop everything that can be developed. We need to make sure that we protect in some way those sensitive areas. I just want to put that out front.

However, I think there are a couple of things that need to be dealt with. I don't think at this point we're prepared to oppose the legislation, but there are a couple of questions that we need to ask once we get into committee. For example, the member for Toronto-Danforth raised the issue of transportation or transit, or intercity transportation in the greenbelt, and asked the question, where are the plans that the government is putting forward to deal with how we move from having people on highways to having them on GO trains or other forms of transportation, to diminish the use of the highway infrastructure, the need to build it bigger and bigger? The minister said, "Don't worry, it's coming." Well, we've heard that before. I guess the reality is that we're tired of hearing it.

We need the government to get very serious about some of these issues. What is the plan when it comes to mass transportation? If you're going to protect the areas of the greenbelt, you need to make sure that we don't build a bigger reliance on having to build bigger and bigger freeways from one end of the greenbelt to the other. And one of the ways to diminish a need for freeways is to develop a good infrastructure when it comes to mass transportation. We look forward to committee and hope that the government is actually going to come through on that particular portion of the bill.

**The Acting Speaker:** Questions and comments?

**Mrs Van Bommel:** I'm certainly pleased to hear that the members for Timmins-James Bay and Toronto-Danforth want to support this bill. I think it's a very important bill. I know we want to see this proceed in a way that we are saving and not paving the countryside.

The member for Toronto-Danforth spoke about her concerns around section 15, which talks about the minister may establish a council, referred to as the greenbelt advisory. And you also mentioned section 9, which talks about the review of official plans. You were saying that you would like to see it done in two years instead of five years. As parliamentary assistant to municipal affairs, I certainly would like to assure the member that I will be taking those matters back for discussion.

You also mentioned things such as the issue in Vaughan and exemptions. I'm not aware that there are exemptions. I haven't seen that. We are consulting. We have consultations ongoing right now. As a matter of fact, we have one this evening. We are certainly hearing from people, and all of those kinds of comments will also be taken into consideration. If there are other concerns and other people are expressing the same kinds of concerns, I'll certainly take those back.

We talk about leapfrogging. The Ministry of Public Infrastructure Renewal has a proposed growth plan in

which they're trying to address the issue of leapfrogging. The matter at this point is that the greatest pressures are within the greenbelt, and we need to deal with those immediately. That's why the greenbelt legislation is so important and it is so critical that we get this passed.

We are listening to the communities, and we heard from the greenbelt task force in their recommendation that we include the Holland Marsh, and we did that. We are continuing with our consultations, and all of those things will be taken in. This is still a draft plan, and we will have a final plan with all of those things brought together.

**The Acting Speaker:** The member for Toronto-Danforth has two minutes to reply.

**Ms Churley:** I'd like to start by saying that I have high regard for the parliamentary assistant. I know she has been working very hard. She's a very well liked member in this place. I've worked with her on committee, and I know she works very hard and is doing her best to make sure this is the best legislation possible. I commit to work as hard as I can with her, so together we can make sure that all those amendments I'll be putting forward will be passed.

**Hon Mr Caplan:** I want to see how you'll vote on it.

**Ms Churley:** Listen, I make no bones about it. We are supporting this legislation.

*Interjection.*

**Ms Churley:** I'm telling you that we are supporting this legislation. It is necessary legislation. There's no question about that, I can assure you. But we have some real problems with it and we want to improve it.

**Hon Mr Caplan:** You're the opposition.

**Ms Churley:** It's not just because—and I say thank you to all those who responded to my speech. Yes, it's my job in opposition to oppose, but it's also the job of all of us in this place, when we bring in legislation, to make it the very best legislation we can. It's the job of all members to look at it, not just in a partisan way, and I know that's almost a silly thing to say in this place, because we are so partisan.

But I mean it sincerely when I say that the Liberals have an opportunity to bring in truly landmark legislation here. They really do have that opportunity and they're on the cusp of doing it, but you're not going to be able to do it without these problems being fixed. You're really not. You may get all kinds of laurels at the beginning from some people, but the holes are so incredibly problematic. You've got all kinds of folks, Ontario Nature and others, calling on the government to make the same changes I've been calling for, and I hope the government will see fit to do it.

**The Acting Speaker:** Further debate?

**Mr Jeff Leal (Peterborough):** Mr Speaker, I'll be sharing my time with my colleague the member for Thunder Bay-Atikokan.

It's a pleasure to have an opportunity to get a few words on the record regarding Bill 135, the Greenbelt Act. I certainly view this bill as a piece of landmark



legislation. In my view, it will sustain a lot of activity in the province of Ontario for many, many years to come.

I just want to refer to section 5 of the bill, which lays out the objective of this bill. It says:

“(a) to establish a network of countryside and open space areas which supports the Oak Ridges moraine and the Niagara Escarpment;

“(b) to sustain the countryside and rural communities;

“(c) to preserve agricultural land as a continuing commercial source of food and employment;

“(d) to recognize the critical importance of the agriculture sector to the regional economy;

“(e) to provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the greenbelt area;

“(f) to promote connections between lakes and the Oak Ridges moraine and Niagara Escarpment;

“(g) to provide open space and recreational, tourism and cultural heritage opportunities to support the social needs of a rapidly expanding and increasingly urbanized population;

“(h) to promote linkages between ecosystems and provincial parks or public lands;

“(i) to control urbanization of the lands to which the greenbelt plan applies;

“(j) to ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner;

“(k) to promote sustainable resource use;

“(l) any other prescribed objectives.”

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I can't think of a better way than these objectives to provide the foundation, for what is perhaps going to be one of the most important pieces of legislation this government will be involved in during our four-year mandate. As I've indicated previously, I had 18 years in municipal politics before I came here a year ago, and during that time, one of things I was always somewhat concerned about was that while individual municipalities do develop their official plans and take a lot of time to develop them, I always thought there was a significant role for the province to play in protecting a lot of environmentally sensitive areas and preserving areas for future generations, that my children will be able to enjoy down the road.

There are a lot of important greenbelt facts. We should make sure that the people watching at home this evening understand what this legislation is all about.

The proposed greenbelt contains about one million acres of newly protected land. That's hugely significant. The proposed greenbelt extends about 325 kilometres, from the eastern end of the Oak Ridges moraine, near Rice Lake, just below Peterborough, to the Niagara River in the west. It is about 80 kilometres wide at its widest point, from the mouth of the Rouge River to the northern tip of Durham region. The proposed greenbelt natural heritage system will provide full protection for about three quarters of the lakes, wetlands and forests within that greenbelt.

The proposed greenbelt would stop urbanization in the remaining undeveloped portions of all major river valleys south of the Oak Ridges moraine and the Niagara Escarpment. The proposed greenbelt would include the headwaters of major watersheds in the western greater Toronto area not currently protected by the Niagara Escarpment or the Oak Ridges moraine plans, such as Bronte Creek, 16-Mile Creek and the Credit River.

For the life of me, I don't understand why all members of this Legislature wouldn't be joining the government at this particular time to see that Bill 135 moves forward. I know it'll be going to committee after second reading, an opportunity for the public to respond to some of the important initiatives that have been clearly articulated in this piece of legislation. It looks forward to future generations in Ontario: that they'll be able to enjoy some of these areas that have the significant wetlands in this province.

I think this government deserves a lot of credit for having taken this bold initiative to protect this greenbelt area that will provide for sustainable economic development in many sectors as we proceed down the road. I'm happy to be part of this government that brought this forward. The Minister of Municipal Affairs and Housing is the lead minister in this, and the Minister of Public Infrastructure Renewal will have an important role as this gets rolled out in the next little while. The Minister of Transportation will have an integral role as part of this greenbelt legislation. It's a key example of three ministries coming together to roll out a long-term plan for the people of the province of Ontario. I think we have to look at it from that perspective: what it's going to do today and tomorrow for future generations to take advantage of.

I'm pleased to put forth some of my thoughts on this bill, and I look forward to my colleague from Thunder Bay-Atikokan sharing his views on this legislation.

**Mr Bill Mauro (Thunder Bay-Atikokan):** I thank the member from Peterborough for allowing me to share his time with him tonight as we add our comments on this piece of legislation. It also provides me an opportunity to acknowledge my brother, who is here from Thunder Bay, a member of Thunder Bay's finest, here with the Police Association of Ontario: Jim Mauro. I'm sure many of you in the Legislature this evening have had an opportunity to meet with the PAO today and listen to their concerns.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** Is he younger or older than you?

**Mr Mauro:** He is—well, I'll let him answer the question of whether he's younger or older than me.

It is my pleasure to add my comments as well to Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001, and the Ontario Planning and Development Act, 1994.

It would probably be appropriate for me to begin by reinforcing some of the comments made previously in this Legislature around this piece of legislation about

what is missing from the debate, not just at the GTA level or the provincial level, but what is missing from this debate when it comes to national discussions and in fact international discussions, and that is that we do not hear people in a global nature discussing and asking for fewer green spaces.

This legislation is very progressive in nature. This is less of an issue in Canada now, but we know on the local stage that this is a very large issue and is becoming more so. For our government to be taking this approach now I think is very progressive. It will only become more important as the years go on, and it's important for us to get it right before we continue. For example, we have heard people talk about Stanley Park. I've had personal experiences with being able to walk that seawall and run around that seawall. It's a great place, and anybody who visits Vancouver is probably thankful that their city fathers and their provincial governments many years ago had an opportunity to set that piece of parkland aside for them, whether it's Central Park in New York or Hyde Park in London.

Recently, a personal experience of mine was to be able to run a road race in Minneapolis, Minnesota, which is a community about 600 miles south of Thunder Bay. I can tell you that that community of four million people markets itself as hosting the most beautiful marathon in North America. After being down there, I can tell you, to run through the series of lakes and parkland that exists within the municipal boundaries of Minneapolis and St Paul—you can understand why they market it that way. The people who live in those communities value that as much as they would value a great economy, because they in fact know that it adds to a great economy.

We've heard some of the other speakers from the other parties discuss the fact that perhaps they would prefer the legislation to have more teeth. I would refer them to subsection 6(2) and just pay some attention to some of those policies, where it lists policies—

*Interjection.*

**Mr Mauro:** No, not objectives but policies:

“(a) policies prohibiting any use of land or the erection, location and use of buildings or structures for, or except for, such purposes as may be set out;

“(b) policies restricting or regulating the use of land or the erection, location and use of buildings or structures;

“(c) policies relating to land and resource protection and land development; and

“(d) policies for the economic and physical development of the land including,

“(i) the management of land and water resources,

“(ii) the development of major servicing, communication and transportation systems,

“(iii) the identification of major land use areas and the provision of major parks and open space, and

“(iv) the development of cultural, recreational and tourism facilities...”

In fact, there are several teeth and good policies contained in the legislation that will go a long way to

ensure the plan is implemented as we all know and hope that it should be.

We have also heard, in fact, not as much pushback as we thought we might have from the developers on this issue and I think that's because we all know there is a nice balance being achieved here. Even though there is some pushback, it's probably important that we acknowledge what would have happened if we didn't act, and we all know what that would have been. It would have been urban sprawl as it exists and is happening already today in the GTA. It would have happened because, as we know, the developers, as with water, would have taken the path of least resistance and we would have seen a continuation of what has happened around here and in fact what we are trying to address: the demands on infrastructure, sewer, water, schools, roads, more traffic gridlock, environment damage, loss of farmland and a host of other issues that would have accompanied this should it not have been abated as this legislation we hope will do.

So I'm happy to add my comments and look forward to a quick passage and support from the opposition parties on this piece of legislation.

**The Acting Speaker:** Questions and comments?

**Mr Norman W. Sterling (Lanark-Carleton):** I think it's fair to say that many of the members here are in favour of something like this and that this is really an addition to the legislation that was brought by the former government on the Oak Ridges moraine. The part that I think we should be talking about and considering is the process by which we are going to go forward with this plan. If you look at the document produced for everyone, there are some things in it which perhaps should be considered and I guess are reflected in the legislation. One of the things I note is that amendments to the plan can only be put forward by the Minister of Municipal Affairs and Housing and are subject to cabinet approval, and that amendments to the plan shall not have “the effect of reducing the total land area within the greenbelt plan.”

**2000**

We're talking about a massive, massive area, and there are going to be individual circumstances where it might be better to alter those particular boundaries and make the area overall slightly smaller. I do say that I had considerable experience with the Niagara Escarpment plan, was in fact in charge of that plan for the three years prior to and during the time when the first plan was brought forward to this Legislature. It took 14 years to bring it from the inception stage to the final stage, because we did a lot of consultation, a lot of process, to be sure that we had it right.

My concern with this particular plan is that there does not seem to be the plan by this government to be careful how they are in fact putting this forward and instituting it, because it does affect property rights.

**Ms Churley:** I was fascinated to hear one of the members—I can't remember where you're from—

**Mr Leal:** Peterborough.



**Ms Churley:** Peterborough; I'm sorry. It's late.

The member for Peterborough talked about the fact that they're very pleased and surprised to hear that there hasn't been as much pushback from developers on this as they thought. He's saying it's because it's just so good that they support it.

Let me remind the member that developers are pretty happy, overall, with this legislation because of what I pointed out earlier: 143,000 hectares have been left open for future development within the greenbelt plan. That's an area about 75% the size of all currently developed GTA lands. That's why the developers aren't screaming: It's been left open for them.

It's the first thing I thought when I went to the minister's announcement and saw the map and what I talk about as the bulge out over the belt, that pale area that's left open for development. What do you think is going to happen there? What do you think the developers are already doing and thinking? They're buying up that land, if they haven't already. That's why they're not screaming.

It's mostly the farmers who have been impacted by this land. As I mentioned earlier, we are not in support and not calling for development-driven speculative compensation, as the Tories are. But what we are saying is that these folks, these small farmers, need the support and programs which I mentioned to be brought in to help them. But that's why the developers aren't screaming. Don't kid yourself here. I'll agree that they'll start screaming if you do what you should do and plug the hole on this and make this part of the greenbelt, as Neptis and others will be calling for you to do. But that's the reality around the developers.

**Mr Kim Craiton (Niagara Falls):** I'm pleased to share some comments on the riding of Niagara Falls, particularly the area of Niagara-on-the-Lake, which is part of my riding.

I have spent an enormous number of hours—and it's been a pleasure—meeting with the farmers, the grape growers, the tender fruit growers, regarding Bill 135.

I will tell you a couple of things. Last Monday, I made a presentation to the town of Niagara-on-the-Lake city council, updated them on a number of the positive things we have done as a government. I talked about the greenbelt. At the conclusion of the council meeting, I was pleasantly surprised and pleased that literally every member of town council stood up and commended the government for the greenbelt. Lord Mayor Gary Burroughs as well commended the government. Their message was, "We're pleased with what you're doing. We don't want you to leave this town council thinking that we're not in support of this."

Last night, I had the pleasure of making a presentation to Niagara Falls city council, again sharing the good message of what we are doing as a government. I touched on the greenbelt, although it doesn't affect Niagara Falls directly. But they are geographically close to the area that's going to be covered by the bill. Again, a number of the councillors echoed the same sentiments, saying,

"We're glad that this government has taken the initiative. It's the right thing to do."

I will say that I expect that on November 23, when we have our public meeting in St Catharines—I know the grape growers and the tender fruit growers are putting together a brief and will have some suggestions on changing the bill. I look forward to hearing those suggestions. I've indicated to them that I'll be sitting down with them before that and listening to it and then showing my support at that time.

The bottom line is, we're doing the right thing. I'm hearing from everyone that it's long overdue and they're proud that this government has had the courage to take that initiative.

**Mr Dunlop:** I'm pleased to rise this evening and make a few comments on the members from Peterborough and Thunder Bay-Atikokan. First of all, I want to compliment you for spending more than 10 minutes of your 20-minute rotation. That's really good, because recently it's been five or six. So that's important.

I think I'm going to have an opportunity later tonight or on another date to speak to this in more detail.

My question, without a doubt, is the leapfrogging effect of this legislation. I'm glad the member from Peterborough spoke to this, because I know it must be a major concern in his area as well. I'm thinking of Barrie and Peterborough as the two prime areas of future development as a result of this legislation.

We're not afraid of development—let's make that very clear—and we're not afraid of this legislation. We think it's a positive step, in a lot of ways, on the Oak Ridges Moraine Act—you've expanded upon that. Obviously there are a lot of questions, and I don't know how much time we really have to debate them here. I think we understand the pros and cons of it, but I do think there should be quite a bit of opportunity for public hearings, because that's where you're going to get a lot of outside thoughts coming in: people concerned with property rights, the agricultural community, all kinds of environmental groups, people in favour and people opposed to it etc.

What's important is that most people would be in favour of seeing this legislation passed in some form, but I think they'll also want to have the opportunity to comment and make amendments to what we see here today.

**The Acting Speaker:** One of the Liberal members has two minutes to reply.

**Mr Leal:** I certainly appreciate the comments from my colleagues from Thunder Bay-Atikokan, Toronto-Danforth, Niagara Falls and Simcoe North, and particularly from the member from Lanark-Carleton, because I know he was here during the 1970s when former Premier Bill Davis started the whole issue of regional government in Ontario, which was sort of the initial phase of looking at significant planning in broad-based areas of the province. So I have great respect for what he can bring to this debate.

For me, one of the key issues in this legislation, Bill 135, is the simple fact that they don't make land any

more, and that's why this legislation is so significant for the province of Ontario. What it does is protect a broad swath of land for future generations to enjoy, for future farming operations and future operations for other economic activities.

The member from Simcoe North mentioned Peterborough. Well, Peterborough looks at this legislation from a very advantageous position, because we have the capacity to support new growth. We have a college and a university, and we're on the—

**Hon George Smitherman (Minister of Health and Long-Term Care):** What have you got coming soon?

**Mr Leal:** We've got a new hospital coming soon. The minister was in Peterborough last Friday night to address that issue.

We have all the infrastructure in Peterborough today to support the kind of growth that this plan is going channel to those areas of Ontario that can support new growth and new economic opportunities, and that's why I support this legislation. There are a lot of other small communities in the Peterborough area, such as Havelock, Norwood and Lakefield, which are great places to live, work and play, that will be supported by this legislative initiative.

**2010**

**The Acting Speaker:** Further debate?

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** Well, here we go again. We have in front of us another bill, Bill 135, that infringes on the property rights of private landowners. I guess I should give the member a bit of credit: At least this legislation is more constructive than some of the recent bills we've been debating here, like bringing your own wine, pit bull bans and banning junk food in schools. At least this bill deals with planning. I have nothing against governments being proactive in the land planning process. However, as anybody who has sat with me here in the House since 1990 knows, I am a staunch defender of rights for private landowners.

Private ownership of property is a fundamental part of Ontario's social contract. The rights associated with property ownership form one of the basic foundations of democracy. Therefore we, as political leaders, must take the lead and maintain the balance between the protection of important natural assets and the rights of property owners.

After reading the bill we are debating here tonight, an act to establish a greenbelt area, I am forced to believe that this government is a supporter of expropriation without compensation for landowners; there's no doubt about it. If I've said it once, I've said it a hundred times: Expropriation without fair compensation is not acceptable.

I'd like to take the opportunity to read a commentary that was released by Mr Ron Bonnett, president of the Ontario Federation of Agriculture. The comments made by Mr Bonnett on behalf of the OFA include a reference to this greenbelt bill and describe why he thinks governments at all levels need to take more steps to research the economic costs and potential impacts that legislation and regulations have on people in this province.

Mr Bonnett's commentary is entitled *The Basic Principle of Equity*: "In recent years, a trend has been developing that is causing concern for Ontario's farming community. The trend is the disconnect between legislation and policy development, and the economic realities of farming.

"Governments at all levels are now being pressured by special interest groups to implement policy changes designed to address real or perceived shortfalls in areas of land use designation, environmental sustainability, food safety initiatives and food production techniques.

"There are a number of examples where legislation and/or regulations have been introduced with little regard for practical implications and economic costs that impact the farming community. Recent examples include the Ontario government's greenbelt legislation, the proposed ban on natural harvest of farmed deer and elk, and the proliferation of municipal bylaws trying to regulate everything from nutrient management to pesticide use.

"In many cases, these rules are being implemented with good intentions. Legislators believe they are doing 'the right thing.' Legislation and regulation driven by good intentions often fail to ask the key questions: Will there be a cost if we move ahead? Who will absorb this cost? Are these rules practical, realistic, affordable and implementable? It has been said, 'You cannot regulate what you do not understand.' Governments at all levels need to understand this.

"There must be a basic principle of equity followed when governments proceed with legislation and regulation. If it is in the interest of the public to legislate, then it must also be in the public interest to ensure that the farm community does not end up paying the total cost.

"If the principle was applied, there would be an understanding that viability and equity issues would have to be part of the greenbelt discussions. Deer and elk farmers who find their incomes devastated by regulatory change would be eligible for some form of transition funding.

"The Ontario Federation of Agriculture is now facing new issues the public wants addressed. The O'Connor inquiry report was the starting point for source water protection legislation, and the Haines report on Ontario's meat industry will drive changes to address issues of food safety.

"These changes need to consider the principle of equity and the basic concept of public benefit being paid for from the public purse. Ontario farmers want to continue doing what's right for the environment and for public safety surrounding food issues, but the OFA doesn't support governments' approach that calls on farmers to pay all the associated costs.

"Ontario's farmers have watched their equity disappear this year, caused by everything from BSE to commodity price collapses. The OFA is concerned that further erosion of equity, whether it's caused by market difficulties or government legislation, will pose an extreme threat to the industry's future.

"Farmers rely heavily on borrowed money to finance their operations. When equity erosion proceeds too far,



banks and suppliers will not be able to support farmers. Eventually, the rural economy will be forced into recession, a prospect the OFA is not prepared to accept.”

As I said, that is a letter from Mr Bonnett to everyone here, to all the members of this Legislature, to look at and make sure you listen to this and not enforce a lot of new legislation upon farmers and people who own property.

I want to use a good portion of my time here tonight to warn people who own property within the proposed greenbelt area of what they should be prepared for if this legislation is approved. You see, I have quite a bit of experience in dealing with governments imposing rules and regulations of what can and can't be done on privately owned land. The reason for this is that some 30%, or 100,000 acres, of the Niagara Escarpment lies in my riding. This land is protected by the Niagara Escarpment Commission.

Before I go on, let me first get on the record that I believe the Niagara Escarpment to be one of Ontario's most important natural features. I feel very strongly that we should preserve its beauty for future generations. However, I have long believed that while we must preserve the escarpment land, we must achieve a balance between conservation and development. For this reason, I introduced private member's bills in 1991, 1992, 1993 and even in 2000 that would have allowed the Minister of Natural Resources to designate the Niagara Escarpment and surrounding wetlands as a natural area of each municipality. When the minister made such a designation, the Niagara Escarpment Planning and Development Act would have to be repealed.

Development of the natural areas would have been prohibited, unless the municipality where the land is situated approved. Then this development would have had to have been approved by this House. Basically, this act would have abolished the Niagara Escarpment Commission, which we should have done a long time ago. The commission has been a thorn in many people's sides ever since it was introduced.

**Hon Mr Caplan:** I'm telling Jim Bradley on you.

**Mr Murdoch:** It's unfortunate that Mr Bradley is not here tonight. He is here pretty well every night, and I'm sure if he had known that we were discussing the Niagara Escarpment, he would have been here.

Just think: Abolishing the Niagara Escarpment Commission would save the taxpayers of the province up to \$5 million annually. This money, in turn, could have been used to buy land that is sensitive, which we could have saved forever.

Having been involved in politics at the municipal and provincial levels for over 25 years, I've had direct contact with the commission and have witnessed first-hand its haphazard, inconsistent decision-making process.

I am bringing this up because of what's going to happen to people in this greenbelt protection area. The same thing is going to happen: We're going to have a government impose regulations upon people. They have no idea what they're doing, and we're going to have the same kinds of things the Niagara Escarpment has done.

The NEC costs the taxpayers of Ontario between \$2 million and \$3 million annually in direct operating and administrative costs. This says nothing of the secondary or spillover costs to local planning and development requirements imposed by the commission, which have been estimated to increase the annual costs, as I said before, by about \$5 million a year. We must ask ourselves, in light of the financial reality facing the province and with your initiatives to review all government operations in an effort to weed out inefficiency, if imposing another NEC is a wise expenditure of Ontario taxpayers' dollars.

This is what's going to happen: More money is going to be spent taking away the rights of the individual and the property owner. I'd like to give you some examples of the ridiculous decisions the NEC has made in the past. People of the greenbelt should be prepared to deal with similar circumstances.

Originally, no red roofs or yellow roofs along the Bruce Trail. People from the city felt that was intrusive upon their eyesight. They may see something out there that wasn't natural. So originally, when they started out, they used to disapprove people who wanted to reshingle their roofs and maybe use red or yellow shingles. They had to use brown or green.

From 1992 to 1994, the Owen Sound Minor Soccer Association investigated ways to develop more playing fields for its sport. Soccer was the second-largest sport organization in the city at the time, with over 800 children actively involved. In 1992, the Grey Sauble Conservation Authority suggested the Pottawatomi Conservation Area as a possible site for a new soccer complex.

The area was unused farmland purchased as part of a parcel by the authority in order to obtain the upper level of the Niagara Escarpment. The land is flat and would have been a perfect site for 11 new grass soccer fields. Soccer would not have been the only use of the lands, as picnic areas and bicycle and walking trails would be incorporated in the overall design by the authority. In addition, with an on-site gravel parking lot, more residents and visitors would have had access to beauty of the escarpment and the Bruce Trail.

**2020**

After countless hours developing a plan and making application, approval in principle was obtained from the city of Owen Sound, Derby township and the conservation authority but was denied by the Niagara Escarpment Commission. This is the same kind of thing that's going to happen in this greenbelt area. The soccer association followed with an appeal, but it was again denied by the ministry on the grounds that they could see no relationship between soccer and the escarpment environment. Apparently, open fields are not compatible with the escarpment plan.

In November 1990, John Deboer, a resident of Sydenham township, applied for a permit to establish the use of a stair manufacturing operation in an existing building in the Niagara Escarpment land—the building

was already there. The permit was issued. Over the few years, business more than tripled, warranting a move to a larger location. In October 1992, Mr Deboer moved his business into a building located only 350 feet from the original location. Since it was the exact, same commercial operation taking place in the same rural area of the escarpment, Mr Deboer reasoned that it should continue to be regarded as an existing use, as previously determined by the Niagara Escarpment Commission.

Mr Deboer was mistaken. A second development permit was rejected by the NEC, despite its former approval. Even after receiving development approval from the Ministry of Transportation, the Bruce-Grey health unit and the township, the commission continued to deny Deboer's application and appeal on grounds that the proposal did not comply with the permitted uses in the Niagara Escarpment plan.

I can only share in Deboer's extreme dissatisfaction with the treatment he received from the commission. How can a body of supposedly educated and logical individuals issue a permit for a specific use and then turn around and deny a permit for the exact, same development less than 350 feet away? It is unanswerable questions such as this that plague groups in my riding and will continue to do so until this undemocratic body is abolished.

The township of Holland wanted to upgrade three existing open roads in 1993: a street in Walters Falls, the Holland-Euphrasia town line and the concession road leading to the Holland-Sydenham town line. They wished to do this because repairs such as cleaning and re-ditching were necessary to ensure safety for those using the roads. However, they were told they could not do this work without first getting permission from the Niagara Escarpment Commission. Neither I nor the townships of Holland or Sydenham, who were asked for comment, could understand why upgrading existing roads for public safety is any business of the NEC. The maintenance and upkeep of the roads are a municipal responsibility. I thought it was common sense that the development permits should not be fixed to municipal road allowances that have fallen into disrepair. The NEC thought differently and wouldn't issue a permit.

What this is all about is that this government hasn't learned from the mistakes of the past government. We hear this day after day in this House. You keep blaming either us or the former NDP government for all your mistakes. You continually do that in this House, and you haven't figured it out from the mistakes we made with the NEC. It should have been abolished years ago, and it's still there. Now you're going to make it bigger. You should have been looking at the problems I just told you about, and many, many more—tons more problems that happen when you do these kinds of things.

Now you make another protective belt, this greenbelt around Toronto. We should be looking at Toronto and saying maybe you're going to be paid back for what happened to us. But this doesn't work for Ontario. Ontario is going to lose out on this whole thing. It's the

people of Ontario who lose out when development is stymied.

Farmers in this area are going to lose the equity they have in their land, just like I read in the letter from Mr Bonnett. He told you this is not acceptable; that you can't take away the rights of farmers, take away the equity in their land. That's what you're doing with this greenbelt legislation. No talking with people; you just bring this in. Now you say you may have some discussions; we'll wait to see whether that happens. If you don't, you're going to end up in a lot of trouble over there.

You can see there are problems with this legislation. There's no agricultural plan in it. They just drew a line on a map. That's how they did it with the Niagara Escarpment. Yes, some people looked at the natural area, which maybe we should have protected. But then they had to have a protected area and after that a rural area. This is what you're going to start seeing happen with this greenbelt legislation. And they've tied it into the Niagara Escarpment legislation, so it makes it even worse. They would not look at the problems we've had in the past with creating areas such as this.

One of the other things they never took into consideration when they drew this new line is the municipalities that are in there. Their tax base is frozen. What are they going to? There are municipalities out there that are going to be stymied. They won't be able to go beyond their borders, and they won't be able to develop any more. Their tax base will be eroded, and they won't be able to do anything. There's no doubt that this government will pay the price, the same as a lot of people who supported the NEC have, especially if you have to live in that area—and a lot of people live in the greenbelt area.

I know the member from Peterborough mentioned that part of reason he sort of likes it is that he's going to get development in his area, because they are going to force it away from here. They're going to force it away from the greenbelt area, they're going to force development out of that area and you're going to get some of that. You may be OK, but as soon as that happens, some bureaucrat or some politician here at Queen's Park is going to decide, "We're going to stop them from developing down there." Then they'll be putting a greenbelt, or whatever they want to call it, around your area. We can't be doing that. We're taking away the rights of property owners in this place, and we don't seem to care. No one seems to care whether property rights are looked at or not; just go ahead and do it.

As I said at the start, at least tonight we're talking about something that's important: planning in the province. There's no doubt that we need planning. It's a lot better than what I complained about: last night we were sitting here talking about pit bulls, and the night before, I think, we were talking about bringing your own wine, silly little bills this government brought in for some reason—I think to defuse the problem we have in the health care system.

**Mr Leal:** No way.



**Mr Murdoch:** Sure. You brought that in because you don't want us talking about the health care system and what's happening in our hospitals. You bring in some little bills, hopefully—and the press is falling for it too. The press have done stories on pit bulls and bring-your-own wine. They've fallen for your little trick, but it won't work. At least tonight we're debating something that's important. But if you don't listen to the landowners, you're going to be in trouble.

**Mr Leal:** They support us in the Owen Sound newspaper.

**Mr Murdoch:** Somebody said the Owen Sound newspaper supports them. I can tell you that our Owen Sound paper probably would. It's so Liberal it bleeds red all the time; they wouldn't have blue ink in that place. I can understand that the Owen Sound Sun-Times would support you. I could see that, and you probably have read that paper. I'm glad you're reading it, though, and that's one good thing: The member from Peterborough says he reads it.

**Mr Sterling:** Do you read it?

**Mr Murdoch:** I try not to, Norm. That's why I have people in my office; they read it to me. Norm asked me if I read it. That's why I hire people, Norman, to do that.

The other thing about the greenbelt is, there's no transportation. They don't even worry about that. Again, we're taking away the rights of people. We're going to make them try to live up in the world and not have their own area so they can build their houses.

When the construction trade gets hold of all this and starts finding out what you're doing to them, they're going to be upset. We're just getting into another mess, and I warn you: Be careful.

**The Acting Speaker:** Questions and comments?

**Ms Churley:** I think I broke out in a nervous rash listening to the member for Bruce-Grey-Owen Sound. I would agree with one thing that he said; that is, we are debating important legislation tonight. But I don't know how to respond to that, so it's probably better not to. I know the member for Bruce-Grey-Owen Sound has been on this track for a long time and he never gets anywhere with it, but I will give him consistency. He stays on it.

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But he has to remember that it was a Tory government under Bill Davis, to his credit, that brought in protection for the Niagara Escarpment and started to bring in protections to conserve our land. We're happy to have Mr Murdoch in the Legislature, but perhaps he's going the way of extinction in his views, as many of the animals and other species will disappear if we don't do things to protect our valuable farmland, our wetlands, our water and all of these things. He may be disappearing as well, but I guess there is a place for him still, for people like him and his views on this earth. I have got to say to him that there is not a whole lot of support for his position. However, I hand it to him that he brings it up time and time again.

I'm just going to come back to, because there's absolutely—

**Hon Mr Caplan:** Can't you guys just get along?

**Ms Churley:** We're getting along fine. There's absolutely no agreement here whatsoever. I simply want to point out that the majority of Ontarians, I believe, would support my position, the NDP position, and that is, not to pave more, but to save more, to actually expand and extend the greenbelt area.

I say to the member for Bruce-Grey-Owen Sound that if we don't start doing something about stopping sprawl, the very people who own the property he's trying to protect will be in grave danger in terms of smog and all of the other problems we have with the—

**The Acting Speaker:** Thank you. Further questions and comments?

**Mr Miller:** I'm pleased to comment on the speech from the member from Bruce-Grey-Owen Sound, who I know is speaking up for farmers this evening. It's certainly a valid voice. I too have received a letter from the Ontario Federation of Agriculture outlining many of their concerns with Bill 135—viability and equity, two points that were raised by the member from Bruce-Grey-Owen Sound.

Farmers are facing many challenges these days, whether it be the new Nutrient Management Act, water source protection, BSE, low commodity prices, other new regulations, and now farmers have this greenbelt legislation that for many farmers effectively will greatly reduce the value of their farm. I think that is a valid consideration. Will farmers be able to finance the planting of their crops when the value of their property is in many cases cut in half?

Just last week we had a wine reception here. It was supposed to be a nice, polite sort of event. The Grape King was here, and she spoke at the reception where we were picking the wines for this year for Queen's Park, the wines that have the official logo of Queen's Park on them and become the wines for the year. She raised many valid concerns that vineyard owners have with this greenbelt legislation. She said that she wanted to be polite; however, these concerns were just too serious and affected small family farms in too great a way and she just couldn't be quiet.

I think this bill has some major flaws. At the very least, it needs to go to committee and get lots of input from farmers and from the many stakeholders. I thank the member from Bruce-Grey-Owen Sound for speaking up for farmers this evening.

**Mr Craitor:** I'm pleased to stand up again and speak on the greenbelt. I want to first read a comment that was in the Hamilton Spectator. It says, "Kudos to the McGuinty government for its visionary greenbelt protection plan! For decades, Ontario dithered that there should be provincial planning covering the GTA." It goes on to say that "the greenbelt will be tomorrow's Ontario treasure. Kudos to those who made it happen."

I want to make a couple of other observations. I have spent many hours with the farmers, with the fruit growers. I will say, and I will recognize the member from Bruce-Grey-Owen Sound, that I have heard the same

expressions you have about their concerns for the value of their property, and that the greenbelt may have some adverse effects on it. I've have heard that from the farmers. I've been out there. Farmers only get paid once a year. They're not paid week by week. So it's a very difficult livelihood. I commend the farmers. I had no idea, until I spent time out there with them on a regular basis, of the sacrifices and blood, sweat and tears they put in to produce products for us.

I have said to them on many occasions when I've spent time with them that if they have something extremely concrete they want to put forward to our government as a way of improving the bill, they should do that at our public meetings on November 23. They should be coming out. But I've also said to them that if they have some ideas, they have to be unified. I will tell you that, depending on which farmer I talk to, they have different ideas. Among themselves they don't even agree. If there's a need to improve the bill, then they're going to have to come back with a unified voice. They cannot go off in 15 different directions.

But I do want to commend the farmers for the time and effort they put in to provide us with quality food here in Ontario.

**Mr Sterling:** First of all, I'd like to compliment Mr Murdoch on his speech. I thought it was well thought out, actually very well put together. Bill has been a strong opponent of the Niagara Escarpment Commission, but that comes from a considerable amount of experience as a municipal and provincial politician.

There is no question that when you go into an exercise like this, you affect property rights, you affect the dreams and expectations of a significant part of your population. In that vein, it took 14 years from start to finish with regard to the Niagara Escarpment plan. There were innumerable processes, hearings etc to establish what the final plan might be. Under this act, as I read it—and it will be interesting to know how it will develop—it gives the minister the right to strike the plan without any meeting, without any hearing, without any process, and therefore the plan shall come down, in terms of the boundaries and in terms of the restrictions on the various classes that are painted on the map.

The other part of the legislation I read that is troubling is a clause in here that says, if there is amendment after the plan is put down, the total area can't reduce in size. When you're painting such a wide swath of land, quite frankly, the loss of a couple of thousand hectares is not that significant.

*Interjection.*

**Mr Sterling:** It is not that significant when you're painting millions of hectares, if by removing a couple of thousand hectares or even 10,000 hectares out of the plan, you can alleviate the problems of a municipality, of a farmer or whoever else, if it makes sense. That's what the plan should do. It should make sense in terms of what's in and what's out.

The other matter that's troubling in this particular act is that it puts a lot of burden on the minister and the

cabinet to make some very finite decisions about relatively small matters.

**The Acting Speaker:** That concludes the time for questions and comments. I recognize the member for Bruce-Grey-Owen Sound for two minutes of reply.

**Mr Murdoch:** I want to thank the members from Toronto-Danforth, Parry Sound-Muskoka, Niagara Falls and Lanark-Carleton for speaking about what I had to say.

Let's get it straight here. Right off the bat, I mentioned that there's nothing wrong with doing proper planning. There's nothing wrong with saving parts of the Niagara Escarpment, nothing wrong at all, but it's the way you do it. What I'm speaking to here tonight is to warn you, don't do it the same way that happened with the Niagara Escarpment. The way it's set up now, it is far worse. Why I'm warning you is that I have trouble with Liberals telling me something. Look at the Oak Ridges moraine. You promised one thing in the election, and you turned around and did something different. So I have concerns with the way you're going to handle this whole thing. You haven't had the input from the number of people you are going to directly affect, and we have property rights.

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It is interesting that a member of the NDP says I'm a dinosaur and fading away. If that's right out there, then I'm certainly reading people wrong who want to have property rights. It seems to me there are a lot of people in rural Ontario, especially in northern Ontario, who think property rights should be something, and the NDP is saying that's fading away. Well, it's unfortunate. I don't agree with that. I think you're totally wrong.

The whole thing is, I'm warning you, don't do it wrong or you're going to have a heck of a mess—the same mess that we've had in a lot of places along the NEC. You've got to do this right. How you can do that is through input and listening to some of the people on the other side of the House. That has been lacking since we got into this government. When you start to do that, you will make better bills and maybe you'll have something to live on, but if you want to ignore us and make fun of us and say that we're going to just disappear, then you won't have a good bill, you'll pay the price and you'll be sitting over here the next time.

**The Acting Speaker:** Further debate?

**Mr Bisson:** I'm glad to have an opportunity to participate in this debate. I want to say up front that I will be voting in favour of this legislation.

*Applause.*

**Mr Bisson:** I guess I should give up at this point.

I just want to say, I will be voting in favour of this bill. I believe it is a step in the right direction. There's much in this bill that is positive, but I think there are some issues that we do need to deal with at committee. I think the government has to take that seriously as far as some of the issues we need to look at.

Whenever we deal with these bills—and I've been here now for 15 years and I've had the opportunity to



look at successive governments introducing either a Planning Act amendment or a bill dealing with how municipalities organize themselves or how regulations work within the environment. Often governments are well-intentioned when it comes to what they're trying to accomplish by way of legislation they're putting forward, because governments want to do the right thing, by and large, as they're all governed by honourable members within those parties, but sometimes what happens is that the bureaucracy, in the haste to bring forward the recommendations of how to implement a government's policy, sometimes don't quite get it right.

I think the government should pay heed to some of the comments that have been made by some of our colleagues in the Conservative caucus. I don't agree with all of what they have to say. Property rights and a few other things I have some difficulty with, but the point needs to be made. We've all been down this road before. I sat in government, you're now there and the Tories have had the opportunity to sit in government, and we know how it works.

A government minister goes to his or her ministry and says, "Listen, here's what the cabinet has decided. Caucus has had a discussion and cabinet has decided this is a good idea. We want to move forward on this initiative." The bureaucracy goes out, drafts a bill based on the input they've gotten from the minister and his or her political staff and then they come back and give you a bill. Unfortunately, sometimes what happens, because we're all fairly busy individuals, is that there's not enough time paid to really analyzing the bill in some detail, especially around these issues having to do with development and how we interact with land use issues, so things that we may not be familiar with as members fall through the cracks.

I remember changes our government made to the Planning Act and I then, as a green member and being first elected to a government, thinking, "Oh, this is great stuff. It's the NDP that thought of it—right?—so it's got to be good," sitting there on committee and saying, "Who the hell thought of that particular section of the bill?"—maybe not the entire bill but that particular section of the bill and finding out that the bureaucracy has given us some draft language on legislation that may not be workable. That's what public hearings are there to do: give people an opportunity to comment on things that we as members may not have caught.

I just say to my friends—

*Interjection.*

**Mr Bisson:** It didn't ring. It's off. It just made a funny noise, and I don't know if it was mine or not. I just want to get rid of it.

*Interjection.*

**Mr Bisson:** No, my wife doesn't have the number to that one. You had to be here from the previous discussion about cellphones.

**Interjection:** John, quit e-mailing Gilles.

**Mr Bisson:** Was that you that sent me an e-mail? That's terrible.

*Interjections.*

**Mr Bisson:** Exactly. Everybody's got my e-mail address, and they do it when I'm up on my feet.

**Mr John Wilkinson (Perth-Middlesex):** How about Howard?

**Mr Bisson:** No, Howard's not watching my speech right now. I know he's at another meeting.

I'm just saying to members of the government: You should take this bill off to committee and you should try to give it—I don't think we need extensive hearings. I don't argue for a second that we have to take this thing out to committee for numbers of weeks, but I think we need a bit of time at committee to give an opportunity for those who are more learned about the particular details of issues like this to come forward and say, "This is a good idea, but you need to take a look at doing this in maybe a bit different way." That's the first thing I want to say.

The second thing is, I bring a bit of a different perspective. Members may appreciate or not appreciate the comments I'm going to make, but I'm going to look at this from the perspective of somebody who comes from northern Ontario. We're often told by people from the southern part of the province that they have better ideas about how we should manage environmental issues, how we should manage development issues and how we should manage the forest when it comes to issues in northern Ontario when it comes to development. We often say, "Listen, we've been at one with these issues for many, many years," and for somebody from the southern part of the province all of a sudden to come in and tell us, "Here is how you should manage these things," sometimes leaves a little bit to be desired for northerners.

I look at this and say, "Listen. You've got a real problem in southern Ontario, and that is, because of the way immigration patterns have happened and because most of the population that has immigrated into Ontario has come to the south, we've got a real crunch when it comes to the ability for people to use the land." There's a lot of pressure, I guess is the word I'm looking for, that people have when it comes to land utilization. We need to make sure that we do this right. I'm just, as a northerner, looking at this and saying, "I think there are a couple of things that we need to stand back and take a look at."

For example, we all agree that we need to make sure that at the end there is a fair and logical process when it comes to being able to utilize the area that we've got in southern Ontario, and that we don't overdevelop it. But there are a number of the ancillary issues that we need to bring into the debate to make sure that's done properly, and one of those is transportation. If we want to minimize the impact on the greenbelt when it comes to development, one of the things we need to take a look at is the issue of transportation. We know that, for example, there's a lot of pressure from the Sarnia area and the Oshawa area in order to increase the ability of people to use our roads when it comes to being able to communicate from one end of the greenbelt to the other.



The unfortunate reality is, you build a highway—build it and they will come. The more they come, the more you need to build bigger highways. We need to, in this society—and this is not an issue that should be laid at the feet of the current Liberal government; they didn't create this problem. But the reality is that we've not had a very strong policy, in my view, when it comes to the whole issue of how we do intercity travel and how we do urban travel within those cities themselves.

If we look at Europe—and I look at my good friend the Minister of Public Infrastructure, who, like me, has travelled to different parts of the world and understands—

**Hon Mr Caplan:** I wish I could.

**Mr Bisson:** You wish you could. I love to take a holiday every year to go and see these things, but that's another story.

If you look at countries in Europe, if you look at Hong Kong, if you look at Australia, if you look at different places, there's a much different attitude on the part of the public, and hence the government, when it comes to the role that public transit should play in moving people from point A to point B.

If you land at an airport in Amsterdam, Paris, Nice, or wherever it might be, in virtually every one of these major capitals you can get off the plane, go through security, get your baggage, jump on a train and go anywhere in Europe. The trains are clean, they move people quite efficiently, they're very inexpensive when it comes to moving from point A to point B, and the frequency with which you can get a train is quite good.

If I want to go to the city of Hamilton outside of peak hours, currently, under the GO system, it's pretty hard to do. Maybe people would choose not to utilize their cars to move from Hamilton to Toronto and vice versa if we had better infrastructure when it comes to rail transportation.

If you take a look at Sarnia—

*Interjection.*

**Mr Bisson:** Well, I'm not saying that the government is not looking at any of these things.

**Hon Mr Caplan:** We're doing that. It takes time.

**Mr Bisson:** My point is, it takes time and every government has said that it takes time. In all fairness, my government, the Conservatives and the Liberals have not, in my view, taken a very serious look at how we're able to promote transportation issues when it comes to intercity travel, when it comes to mass transportation. For the government to say, "We're dealing with it and it takes time," doesn't, quite frankly, reflect the reality.

If you look at the experiences of Europe, the experiences of places like Hong Kong and others, there has been a real effort on the part of legislators and community groups to take a look at how they were able to build a mass transportation system that basically negates the necessity of being able to build huge freeways to move people from point A to point B. They have looked at it from a much different point of view.

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Some people on one side of the debate will say, "Listen, you shouldn't do that, because what you're doing is using public dollars in order to subsidize transportation." I say to them, "Jeez, when you build a freeway, who do you think is building it?" The reality is that the province of Ontario spends millions of dollars—in fact, billions of dollars—in order to build freeway infrastructure to get people to move from one end of the greenbelt to the other. Should we divert some of those dollars in the future toward saying we need to diminish the amount of reliance on highways in order to be able to move people with mass transportation?

The same would be true, I would argue, for places outside the greenbelt. I look at, for example, the run from Cochrane down to Toronto with the Ontario Northland commission. Currently, the Ontario Northland, as we all know, is a crown corporation that operates what they call the Ontario Northland Railway and also the Ontario Northland bus system. In the rail system, we've got one train a day. We've basically got a train that leaves late in the evening from the city of Toronto and drops people off in northern Ontario at 4 o'clock and 5 o'clock in the morning in the middle of a snowstorm somewhere in Matheson or Cochrane.

No wonder people don't take the train. And vice versa: Getting up early in the morning to get on a bus or take your car to drive an hour to take the train—even longer than that, probably an hour and a half to take the train in some communities—doesn't encourage people to use that form of transportation. Is it not better for the province of Ontario to say, "Let's look at how we can move people within the province by way of some of those infrastructures that already exist around rail and, in some cases, air, so that we lessen the reliance on highway infrastructure so that we can divert some of those dollars into mass transportation"? My argument is that we don't do a very good job of being able to look at that in a serious way.

I would hope at committee that we can have some discussion, about—I don't plan and I don't think that we can develop a policy at committee about mass transportation, but at least we can get our heads around it so that the government can get some direction in order to refer the issue out to one of our standing committees to look at how we deal with the issue of mass transportation in the GTA and within the greenbelt belt area, and possibly extend it into places outside of the greenbelt area such as the Ontario Northland corridor, and then basically come back with some recommendations about what can be done. I think over the longer term you probably could save some bucks if you did that.

The other issue is, and I think this is one that I'm not too sure has had much in the way of debate in the Legislature, what the greenbelt legislation means to the agricultural community. Now, we all agree, Liberals, New Democrats and Conservatives, that we need to do all we can to help and sustain our farm industry. In one way, this particular bill helps to make that happen. I am not



going to say for a second that greenbelt legislation is going to discourage people from getting out of the farm industry, but let's recognize that we have some really serious issues in the farm industry that we need to deal with, some of which are quite frankly out of the control of the province but which we need to turn our attention to in some ways.

We look at what's happened with BSE. There are farmers across this country, let alone in this province, who are basically wondering how they are going to be able to stay in business past the next fiscal year. You take a look at the price that they get for meat as they bring it to the abattoirs, and you look at the price of meat that we're having to pay when we walk into the grocery store, and it just doesn't stand to reason. The farmer is getting a fraction of what the beef is worth from the abattoirs and those people that buy from the abattoirs. We, the consumers who go out to buy the meat, the end product in the butcher shop or in the grocery store, are paying prime—I was going to say prime cuts; I wish I could get a prime cut, but that's another issue—

**Mr Leal:** Prime price.

**Mr Bisson:** Prime price is what I was looking for. You say to yourself that that doesn't make any sense. Why is the farmer basically making less money than he or she did before, yet the price of meat is virtually the same, if not higher? Clearly, there's a problem there.

I think one of the things we need to do in the province of Ontario is to encourage our federal government to deal with that. Why is it that the feds are not taking a more serious role in that? I was talking to my colleague Mr Charlie Angus, the federal member from Timmins-James Bay and also our agricultural critic for the federal—

**Hon Mr Smitherman:** And a musician.

**Mr Bisson:** And a musician, a very good one at that. I've actually got his album. If you want it, I'll sell you a copy. We're trying to make some money for Charlie these days—not that he needs it. George, if you want one, I got one for you.

The point is that he has really brought me up to speed on some of the agricultural issues that affect farmers in northern Ontario. I was aware of some of these before, but Charlie has brought a bit of a different perspective in regard to what the issues are. We need to deal with those issues that affect commodity prices in order to be able to assist farmers. Moving forward and protecting the farm by way of greenbelt legislation may be a well-intentioned and laudable thing to do, but if we don't deal with some of the issues around commodity prices and others, I'm not too sure what a greenbelt is going to do to help protect the family farm. I think we in all our parties agree we've got to do all we can to assist that very important industry and that economic sector in our province.

So what do we do about that? How do we make sure we have programs in place that are able to assist farmers? For example, one of the things I'm hearing in northeastern Ontario is the whole issue of tile drainage. There is real concern on the part of the agricultural industry in regard to this current government's policy when it comes

to tile drainage. For farmers in northeastern Ontario it is really a killer. They are at odds with it and at their wit's end, trying to deal with how they are going to cope with this new regulation when it comes to tile drainage. It's going to put a huge cost on farms at a time that the farm is having a hard time trying to make ends meet because of what's happening in the commodity prices around beef and other animals that are being sold on the market.

I'm just saying to the government that we support generally—that's interesting. The time just went—I've got 20 hours and 56 minutes.

**The Acting Speaker:** No, you do not.

**Mr Bisson:** That scared me, Todd. For a second I thought we were back under the old rules.

My point is that there's a real concern, and people are saying, "How are we going to be able to deal with that from an economic point of view?" So I just say to the government that it's laudable that you're trying to deal with issues around the greenbelt legislation. We in the New Democratic Party are prepared to support it, but I think we need to give it some time in committee—I'm not arguing for a lot of time, but a reasonable amount of time—to deal with some of the issues that are brought forward.

The other issue I want to touch on very quickly is how this affects municipalities. Under the current legislation, as I understand it, municipalities are going to have five years to live up to what is being proposed in the greenbelt legislation. Then, even after five years, there's really no mechanism to force municipalities to live up to what's in the legislation. I might be wrong, and I'm hoping I am—

*Interjection.*

**Mr Bisson:** I read the legislation last night.

*Interjection.*

**Mr Bisson:** Well, now I'm being told it's in another bill. My point is that I read the legislation last night and I didn't see anything that dealt with the issue of encroachment by municipalities on the greenbelt. I think there needs to be a fair balance there, but is five years too long? I guess that's the first question I'm putting forward. Is that reasonable on our part? Should we be looking at a timeline that's a little bit quicker? Or, second, do we need to make sure there are enforcement mechanisms so that municipalities at the end of the day have initiative, or a certain pressure, to live up to the intent of what is in the greenbelt legislation?

I just wanted to put those particular comments on the record. I again say that we are going to support the legislation at second reading. I look forward to what I think will be, hopefully, some time in committee to deal with some of those issues. I just caution and implore the government to take seriously some of the amendments that are going to be brought forward by the opposition and advocate on the part of those presenting to the committee.

My good friend the Minister of Public Infrastructure knows that often stakeholders will come to opposition members, and you were there, to say, "Listen, there's a pretty serious issue here that I need you to deal with.



Would you please try to deal with this in some form of amendment when it comes to the legislation?" I don't expect that you're going to support all the amendments that come forward from the opposition, but I would hope that this government is able to see its way to dealing with some of those amendments in a positive fashion.

La dernière affaire que je voudrais dire est qu'on a besoin de s'assurer que, à la fin de cette législation, on aura un produit de législation qui a du bon sens pour ce que le gouvernement essaie de créer dans la législation elle-même. On est tous d'accord à la fin de la journée qu'il est important qu'on protège ces endroits dans le sud de la province—Niagara Falls, Whitby, Oshawa—qui ont besoin d'une certaine protection. On sait que le développement était pas mal féroce dans ces endroits dans les années passées, et on a besoin de s'assurer que la législation qui est mise en avant aujourd'hui assure qu'on met en place une législation qui va accomplir le but que le gouvernement eux autres mêmes essaient d'accomplir à travers cette législation.

2100

Donc, on va voter pour ce projet de loi à la deuxième lecture. On s'attend à ce que le gouvernement prenne du temps en comité pour s'assurer qu'on donne la chance au public de présenter au comité, que les amendements qui sont amenés au comité par l'opposition soient pris au sérieux, et pour retourner à cette Assemblée pour être capable de passer ce projet de loi à la troisième lecture.

**The Acting Speaker:** I'm pleased to recognize the member for Ottawa-Orléans.

**M. Phil McNeely (Ottawa-Orléans):** Je suis content de savoir que le membre de Timmins-Baie James supporte notre loi. C'est très important. J'ai vu les places que vous avez dans votre circonscription. À Ottawa, Prescott et Moosonee, ce ne sont pas les mêmes problèmes qu'à Toronto, mais vous avez bien exprimé les problèmes de Toronto, et je suis très content que vous allez supporter la loi en avant avec nous autres.

I'm very impressed with this legislation. It sets a high standard for the city of Toronto and the greater Toronto area, and from the Niagara Escarpment right to Peterborough. It's legislation that is needed. I suppose people will say that it's too much land that we're including, but if you make mistakes with too much land, that can be corrected in the future.

Toronto is—what?—four million people. It's five or six times the size of Ottawa. I was on council with Minister Meilleur, and she was the chair of the transportation committee. I think Ottawa showed leadership in this province. Sure, we had the greenbelt and that goes back many years, but in the first council of the new city of Ottawa, with the leadership of Minister Meilleur, we were able to freeze the urban boundaries. That was very important, that was very difficult, and there were a lot of complaints about freezing the urban boundaries.

You're doing that on a scale 10 or 15 times as much as we did in Ottawa, but it's going to be successful. It's going to be a heritage that we will just look back on and say that we protected the farmland. The greatest crop for

farmland, as we all know, is housing. We have to stop that crop.

It gives me pleasure to stand in the House tonight to support Minister Gerretsen in this very impressive legislation.

**Mr Sterling:** As we go forward in this bill toward committee hearings, which everybody seems to be calling for, I think it only fair for the government to produce the regulations that will specify the uses that will be allowed or not permitted in the various areas.

**Hon Mr Caplan:** Come on.

**Mr Sterling:** What do you mean, "Come on"? If you haven't thought about what the permitted uses will be in these areas, then you are not in a position to present this to the public and ask for passage of the bill.

The communiqué that was sent out when this was announced on October 28 talked about some of the restrictions. It talked about the fact that residential subdivisions, any type of store or other commercial activity, will not be allowed. Industrial plants or manufacturing operations won't be used. But down in the Niagara Peninsula, for instance, they will be interested to know whether or not a vintner can construct a building to hold the necessary equipment to make wine. The people down in that same area will be interested to know if they can have a little shop selling their product. They will want to know if they can have a restaurant, as some of those vintners now do have down in that area.

For the government to claim that they have everybody on side without defining exactly how it will hit them—because the devil is in the detail in this kind of legislation—is unfair: unfair to the public, unfair to the discussion as we go forward. I think those decisions have to be made and, quite frankly, I thought they would have been made at this point in time.

I urge the government to put those regulations on the table so that when we get to committee we can have a good and frank discussion with regard to this legislation.

**Mr Racco:** The first meeting that took place with the community was about eight days ago in the region of York, in Markham, an area I represent partly with the city of Vaughan. I was impressed by how much support there was at that meeting. Certainly, there were some individuals who had some concerns, but I think the process will allow us to make some minor adjustments, as long as the objective of the exercise is not affected.

People were very happy to see the type of leadership provided in the province of Ontario. There were many people who felt it was unfortunate that it took so many years for any provincial government to give leadership on how we should move on and build a better Ontario, an Ontario where traffic gridlock is going to be minimized as much as possible.

My area of Thornhill, which includes Thornhill-Vaughan, Thornhill-Markham and Concord, is one of the areas in Ontario where we have difficulty moving, and the reason is that there is sprawl, homes built all over the place. Therefore, this legislation we are going to pass is a must, because without it we will continue that sprawl and



that will not allow us to be efficient, to be able to move in our communities.

It takes over an hour for me to come to this House every day, and I only live about 22 kilometres away from here. One of the reasons is that we cannot afford the type of public transportation that is needed; we are building all over Ontario. By restricting the area, not only are we going to be building smarter and better, but we are also going to be more efficient from a public transportation point of view. I am waiting to see those changes take place so that we can build a better community.

**The Acting Speaker:** One last question and comment.

**Mr Miller:** I'm pleased to lend some comments to the talk from the member for Timmins-James Bay. He was talking about train service as it relates to green space, and I wanted to comment about that.

My riding is just a couple of hours north of here and we have rail service through the riding. We're served by the ONTC, which the member for Timmins-James Bay did mention. I would like nothing better than to see a service that is on time and positive, and has more than one train a day, a service that people could rely on. I think it would be very popular if that were in place. Unfortunately, that is not the case. In fact, my personal experience is of my daughter Abigale, when she was trying to use the train to get to Toronto—the new Bracebridge train station was just opened this year. She went to buy a ticket at the sales office and was told that the train wouldn't be on time and that in fact she should probably take the bus, because you couldn't depend on the train. So she drove to Gravenhurst, where the train and the bus leave at the same time. As it turned out, the train didn't show up on time, so she did take the bus. That's the sort of rail service we have right now, and I have to criticize the ONTC because I don't think they're doing a very good job. I don't know the details of why it's not working, but it ain't working. If we want to have people using the train, we need to have some other solution, whatever that solution might be. But it's not working right now.

I was in Alaska recently and spent a day on the train there. It was a very positive experience. I can't help but think that if we had good train service all the way to Moosonee on a regular basis—there's this great tourism potential there. There is great potential and we need to improve the train system, especially when we build this greenbelt and then will need to have better transit and transportation links to get beyond the greenbelt.

**The Acting Speaker:** That concludes the time available for questions and comments. I return now to the member for Timmins-James Bay. You have two minutes to reply.

2110

**Mr Bisson:** I want to thank all members for commenting, but I really want to thank my friend from Parry Sound-Muskoka for raising that issue, because it gives me an opportunity to do that within the rules of this assembly. I agree with you that the ONTC can do a much better job. I think it's a travesty in this province—and I

don't argue that we should privatize it; I think we need to strengthen it within the confines of the public sector. But I really think we need to give the ONTC the tools they need to provide better service.

There's the issue my good friend raised, that in the area along Highway 11, south of North Bay and north of Barrie, when you go to buy a train ticket to Toronto, they'll tell you not to buy it because the train will not be on time, and that you're better off taking your car or jumping on the bus. What a ridiculous situation to be in. I think we need to make sure that we give the commission the mandate and the direction to be able to fix those issues so that people living in that corridor can bank on using the train, not just once a day but probably more than once a day. If you increase the frequency, you'll probably increase the amount of traffic on that train.

The other issue is what happens on the train north of North Bay. A lot of people don't take the train because it's not convenient. The argument is that we should be able to deliver a schedule that makes sense so that people living north of North Bay are able to take that train and so we can lessen their reliance on paying the high price for an airline ticket, which most people can't afford to do, or on taking their car.

The last issue: There's a whole gem in northern Ontario called James Bay. The reality is that there is a huge potential for tourism in that particular part of the province, and we need to strengthen the ONTC to give them the resources they need and the mandate they have to get in order to be able to work with the communities of Moosonee, Moose Factory and others and develop what is I think a really good opportunity for tourism in northeastern Ontario.

**The Acting Speaker:** Further debate?

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Monsieur le Président, je vais partager mon temps avec mon collègue le député de London-Fanshawe.

Tel que mentionné lors de la campagne électorale, le gouvernement McGuinty s'est engagé à protéger un million d'acres de plus dans la région du Golden Horseshoe. C'est une des régions qui connaissent la plus forte croissance en Amérique du Nord. Le plan ajoutera un million d'acres aux 800 000 acres de la moraine Oak Ridges et de l'escarpement de Niagara, qui sont actuellement protégés. D'ici 2031, on prévoit qu'environ quatre millions nouvelles personnes vont s'établir, vont établir domicile, dans la région du Golden Horseshoe, l'équivalent de la population combinée de Vancouver, Calgary et Edmonton. On pourrait aussi dire que ça va rajouter une population équivalente à la population actuelle du grand Toronto.

La croissance va créer d'importantes difficultés si l'on veut garantir qu'elle est planifiée, réfléchie et bien gérée. Elle exige des stratégies à long terme permettant de garantir des collectivités fortes, un environnement sain et une économie vigoureuse.

Les objectifs généraux du plan de la ceinture de verdure du gouvernement McGuinty sont les suivants :

Tout d'abord, l'ébauche du plan de la ceinture de verdure vise à protéger les terres écologiquement fragiles et les terres agricoles, une mesure essentielle de la planification de la croissance.

Le plan vise à faire en sorte que l'environnement, y compris les réseaux hydrographiques, reste sain et en mesure d'assurer maintenant et à l'avenir la subsistance de la population et de la faune qui y vivent. Il vise à encourager la croissance dans les villes situées à l'extérieur de la ceinture, tout en favorisant des collectivités rurales dynamiques à l'intérieur de la ceinture de verdure. Il vise aussi à appuyer l'agriculture comme source de commerce, d'emploi et de production intérieure d'aliments. Il vise à offrir des possibilités de loisirs en plein air pour répondre aux besoins de la population en croissance rapide.

En ce qui concerne la protection de l'environnement, le plan de la ceinture de verdure propose d'interdire les nouveaux aménagements urbains dans les zones humides, les forêts et les cours d'eau de la ceinture de verdure. Plus précisément, il vise à protéger les ressources en eau contre les aménagements, à prévenir la contamination et à préserver les rivages et à renforcer les vallées fluviales reliant la moraine de Oak Ridges, l'escarpement de Niagara et le lac Ontario. Le travail se poursuivra afin de mieux répertorier les écosystèmes naturels de la région du Golden Horseshoe afin d'aider le gouvernement à prendre des décisions en matière d'aménagement du territoire à l'avenir.

Pour le domaine de l'agriculture, l'ébauche du plan de la ceinture de verdure empêchera de nouveaux aménagements urbains sur les terres de cultures spéciales, comme Holland Marsh, et les terres servant à la culture de fruits tendres et du raisin dans la région de Niagara. Elle interdirait aussi l'utilisation des terres agricoles à fort rendement à des fins qui n'appuient pas l'agriculture.

Les terres agricoles à fort rendement pourraient continuer de servir à des fins commerciales ou industrielles, appuyant l'économie agricole : par exemple, des étalages de produits, des magasins d'équipement agricole et des établissements vinicoles.

Pour ce qui est de la collectivité rurale de la ceinture verte, elle va favoriser des collectivités rurales, saines et dynamiques. L'ébauche du plan de la ceinture de verdure envisage une expansion modeste des villes et villages tous les 10 ans, lorsque la révision du plan est proposée, mais uniquement lorsque les réseaux d'eaux et d'égouts en place peuvent répondre à cette croissance. L'ébauche du plan permet également la construction d'infrastructures, sous réserve de critères environnementaux, là où on en a besoin.

Le domaine des loisirs et du tourisme : l'ébauche du plan de la ceinture de verdure appuie toute une gamme de possibilités de tourisme, de sports et de loisirs. Elle établirait également une stratégie relative aux parcs, aux espaces ouverts et aux sentiers visant à répertorier les terres publiques et accessibles.

L'ébauche du plan de la ceinture de verdure propose la protection des trois types différents de zones formant collectivement la « campagne protégée ».

Les terres écologiquement fragiles qui font partie du système du patrimoine naturel de la région du Golden Horseshoe, ainsi que les terres agricoles à fort rendement et les terres de cultures spéciales, constituent la majeure partie de la ceinture de verdure proposée.

Les régions rurales, avec leurs villes, villages et hameaux, complèteraient la structure d'un milieu rural dynamique.

Le système de la ceinture de verdure qui est proposé est formé de divers cours d'eaux, rivières, lacs de kettle et zones humides.

En raison de la fragilité de ces éléments, diverses utilisations du sol ne seraient pas permises dans ces régions, notamment des quartiers résidentiels, tout type de magasin ou autre activité commerciale, et des installations industrielles ou manufacturières.

Certaines utilisations, par exemple des sentiers naturels et des installations pour l'observation ou l'étude de la faune, pourraient être permises.

Je vais maintenant passer la parole à mon collègue le député de London-Fanshawe.

**Mr Khalil Ramal (London-Fanshawe):** It's an honour for me to stand up for the second time tonight to speak, this time about a totally different issue. It has given me more pleasure, what I have been listening to, many members from all sides of the House speaking in support of that bill. Hopefully, it won't take long for it to be implemented in order to save our environment and protect our farmland.

This greenbelt legislation, if passed, has proposed to protect about one million additional acres in the Golden Horseshoe, more than doubling the total area now protected by the Oak Ridges moraine conservation plan and the Niagara Escarpment plan. I think it is just amazing. It's a great initiative, a great bill and, hopefully, as I mentioned, from what I heard from all the members of this House, it's going to get great support and we're going to carry on with it. I believe it's a good gift for all the people of this province as a result of the co-operation of all the members of this House.

2120

It's not just to protect farmland. This bill will also ensure the quality of air, water and health. As Minister Gerretsen mentioned in his introduction of the bill, if we keep going the same way we are right now, in the year 2031, about four million more people are expected to move to the Golden Horseshoe area. That's like everyone in Vancouver, Calgary and Edmonton packing up and heading up this way. It raises important questions for us in central Ontario: How do we want our communities to grow and prosper? What do we want our landscape to look like in the years 2030, 2040 or 2050 from now on?

We've been elected to this House, to this place, to plan for the province, to protect our future. That's why our government, for the first time in history, introduced such a bill to ensure a plan for the future, to ensure a good



environment, good air quality and good water protection for our kids in the future.

I was listening to the member from Toronto-Danforth. She spoke for a long time. I believe, in the end, she is going to support it. She has some concerns about some issues and details in the bill or in the regulations. Hopefully, her concerns will be transferred to the minister through his parliamentary assistant, who is a great person, a great member who believes in the farming area, who believes in protecting the environment. Also, when the member from Simcoe spoke about this bill, he spoke with passion. I believe he's going to support it. They come from a rural area and they know the value and the quality of the air and the quality of nature.

For myself, when I want to relax or take some kind of break, I travel toward the Stratford area, toward Barrie and Orillia. I had the privilege three or four weeks ago to go and spent one night with a colleague from that area. I enjoyed the time. I enjoyed the quality of the people and I enjoyed the environment. I think we need that protection, because we cannot allow ourselves, our cities, roads and pavements to grow all over the place. We have to protect the future, which ensures us good agricultural land, good grapes, good apples, good tomatoes and cucumbers, greens and everything. We also have to make a place for us to escape when we have bad times or when we want to relax. I believe that what we're doing right now is a good way to approach the future.

I wonder, after listening to all the people, why would I keep debating this issue, since everybody agrees on this bill? Why don't we send it to committee right away and

deal with it instead of taking more time, because we are in agreement? I think we're in agreement. We can devote our debate time to different issues which are not agreed on and, hopefully, by debating different issues, we can achieve more. Because I think this one is a done deal and everybody agrees. Nobody is disputing the whole thing. Everybody tried to explain their own philosophy and ideology, their own way, but in the end, all of us are aiming for the same goal: to achieve a greenbelt and to ensure protection of farmland and our environment. So I don't see myself talking more about something that I believe everyone is already in agreement with. Nobody has any reservations, except some kind of technicalities that would be resolved by communicating between our leaders on these issues and, hopefully, we can achieve our goal.

Tonight I'm very privileged, as I mentioned, and I've enjoyed listening to many deputies speak in support of this bill. It will give me more pleasure when I hear the opposition party in great support, and it will also give us more hope in this province to keep working together as a result of co-operation. I think this is important. When we are working together, we can achieve more.

Therefore, I am looking forward to supporting this bill. I hope all the members in this House will join me in support in order to protect our future, our environment, our green land and our farming land.

**The Acting Speaker:** It being reasonably close to 9:30, this House stands adjourned until tomorrow at 1:30 pm.

*The House adjourned at 2126.*

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**Mercredi 17 novembre 2004**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 17 November 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 17 novembre 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### PIT BULLS

**Mr Norm Miller (Parry Sound-Muskoka):** This morning, while watching the New VR news, I was saddened to learn that a Rottweiler attacked a postal worker in Fenelon Falls on Friday. I would like to know how the current legislation to ban pit bulls would have prevented this tragic attack. Fortunately, a local man was able to stop the attack, but not before the postal worker suffered serious injuries.

Sadly, the current pit bull legislation would not have prevented this attack at all. Instead of focusing on owners of dangerous dogs, the legislation bans one breed, which isn't even uniquely identifiable. We saw last week that even the Attorney General, when asked to pick a pit bull from a collection of dogs, was unable to do so.

Instead of taking the time to provide a reasonable, practical solution to the issue of dangerous dogs, this government has introduced reactionary legislation to punish responsible owners. I am concerned that the current pit bull ban is designed for newspaper headlines, not actually preventing dangerous dog attacks.

Today, the Super Dogs, a group of Staffordshire bull terriers, performed on the front lawn of Queen's Park. These dogs are capable of some amazing stunts. However, the proposed legislation would ban them in Ontario.

Most dogs are friendly, loved members of their families. Unfortunately, there are some dogs in every breed that are capable of attacking people. It is unreasonable for the government to ban all these dogs, as they are attempting to do with pit bulls. Instead, I strongly encourage Minister Bryant to take the time to develop new legislation that will prevent dangerous dog attacks by focusing on irresponsible owners. Reasonable and effective legislation like that would be a good step for Ontario.

#### JAMAICAN CANADIAN ASSOCIATION

**Mr Mario Sergio (York West):** I would like to take this opportunity to highlight the immense support the Ontario Trillium Foundation has bestowed upon my riding of York West of late. More specifically, in late October of this year, the foundation provided a local

community-based organization, the Jamaican Canadian Association, with some \$220,000 in additional funding over a three-year period.

This generous amount of money will play a significant role in strengthening the Jamaican Canadian Association's indispensable role in my riding. Established in 1962 and incorporated in 1971, the JCA is committed to identifying and responding to the needs of the Caribbean/black community in the York West area as well as the GTA.

At present, the JCA provides a variety of essential services: settlement services for new immigrants; youth and family counselling; domestic violence, incest and child abuse programs; and a parenting program, just to name a few. In turn, through the maintenance of its five volunteer-based standing committees, the JCA is continually expanding and building upon its community outreach initiatives, substantially improving the community's education and social needs.

I would like to once again thank the members of the Ontario Trillium Foundation for providing the JCA with the necessary funding, and congratulate them on all the good work they have done for my constituents. This serves as yet another example of the provincial government making a concerted effort in serving the needs of local communities.

#### RACIAL PROFILING

**Mr John O'Toole (Durham):** It is well known that this Liberal government is, should I say, liberal with the truth. Sadly, they can't even get their own story straight.

In November, Community Safety Minister Monte Kwinter said, "On the always controversial subject of racial profiling, let me say that the ... McGuinty government will take an absolute zero tolerance approach." A typical Liberal promise: all spin and no substance.

Just last week, for instance, Education Minister Gerard Kennedy condoned the actions of the Toronto District School Board in keeping race-based statistics. The minister said, "We are not going to prohibit it at this point." So which is it? This really is the question that always comes to mind.

We don't have to look very far to see why we need clear guidelines around racial profiling of any kind. On March 18, 2003, then-school trustee and now-Liberal MPP for Don Valley West, Ms Kathleen Wynne, told the Toronto Star, "I assume when I'm going into an (expulsion) hearing it's only going to be a young male of colour. And if it isn't, I'm surprised."



This government came out firmly against police forces tracking race-based statistics. There is now clearly a double standard, as the Toronto District School Board will be allowed to do just that.

This is a highly charged issue that deserves a debate in this House today. I call on the Premier to have the courage, for once, to take a stand and stick to it. This issue is simply far too important to have positions that change at every event and with every poll result.

### CHRONIC OBSTRUCTIVE PULMONARY DISEASE

**Ms Kathleen O. Wynne (Don Valley West):** Today, November 17, is World COPD Day. COPD, or chronic obstructive pulmonary disease, is a disease that makes it difficult to move air into and out of your lungs. It is a disease that causes the airways of the lungs to be inflamed and become obstructed or blocked. For people who suffer from COPD, drawing a breath can be a difficult, frightening struggle. It includes two major breathing diseases: chronic bronchitis and emphysema.

COPD is a disease that generally affects people over 60. It affects more women than men, and 15% to 20% of smokers will develop COPD. More than 750,000 Canadians suffer from the disease. Hundreds of thousands more have COPD but have not been diagnosed. That's part of why it's important to continue to raise awareness about this disease, and that's part of why World COPD Day is so important.

As we mark World COPD Day, I'd like to draw your attention to Breathworks, an innovative initiative of the Lung Association that promises to improve life for many of those 750,000 Canadians. Breathworks is a disease management program that focuses on education, information-sharing and building a strong support system around those who suffer from the disease. More information is available on the Lung Association's Web site or via their phone hotline: 1-866-717-COPD.

We believe in the work the Lung Association does and, as a government, we are committed to reducing the number of people who suffer from this disease. The government will help to combat COPD through our comprehensive anti-smoking strategy. We have already increased the cost of cigarettes. We'll make all public spaces and workplaces in Ontario 100% smoke-free in three years. And we will create a peer-to-peer anti-smoking campaign targeted at youth and created by youth to deter kids from lighting up.

In marking World COPD Day, I invite all members of the House to join me in saluting the important work of the Lung Association to combat COPD and in using their voices to raise awareness about this disease.

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### SECURITY GUARDS

**Mr Garfield Dunlop (Simcoe North):** I rise today in response to an article by Richard Brennan of the Toronto

Star entitled "Security Guards to Get Stricter Rules." Apparently, almost six months after the release of the recommendations of the coroner's jury into the death of Patrick Shand, Minister Kwinter is supposed to introduce legislation sometime soon to amend the Private Investigators and Security Guards Act.

Well, legislation already exists in the form of Bill 88, my private member's bill that would bring numerous much-needed and long-overdue amendments to the private security industry. We consulted with stakeholders in drafting Bill 88. The vast majority of the Shand inquest recommendations are reflected in my legislation, as well as many other changes.

Bill 88 would bring about numerous significant changes to the Private Investigators and Security Guards Act, such as: mandatory multi-level training and standards for the use of force, firearms and making arrests; different classes and portability of licences; restrictions on the equipment licensees are authorized to use or are prohibited from using; prohibitions for licensees on uniforms, and markings and colours of security vehicles, that resemble those of police officers; and prohibitions on licensees on the use of badges or other insignia that resemble those of police officers.

Bill 88 passed second reading in a vote of 48 to 0 and was referred to the standing committee on justice policy. In fact, our Minister of Community Safety voted on it himself and supported it.

The work has already been done. There's no need to waste any more ministry staff time or resources. So I urge Minister Kwinter to put Bill 88 on the justice policy committee agenda now. I would appreciate him doing that, because it is going to save taxpayers money and pass a good bill.

### TIME ALLOCATION

**Mr Peter Kormos (Niagara Centre):** The Liberals here at Queen's Park are certainly showing their true colours. Not only do they adopt the Tory privatization agenda when it comes to any number of parts of our public sector and public service—hospitals, corrections and, of course, hydroelectricity generation and distribution—but now the Liberals have adopted Tory tactics as well.

The Liberal House leader serves notices of time allocation motions designed to eliminate debate on Bill 100, one of the most contentious pieces of legislation introduced by this government since their election in October of last year. No further second reading debate, denying members of this assembly, both government and opposition members, the right to put their contribution on to the record and denying the people of Ontario the right to participate in public hearings—public hearings, why, but one hour of clause-by-clause debate. And then the Liberals demonstrate their disregard and disdain for parliamentary procedure by restricting third reading debate to but two hours, maybe two hours and 15 minutes, and then forcing the bill to a vote.

Well, it looks like Dalton McGuinty has put on the jackboots, laced them up tight, and he is now stomping over traditional parliamentary process. This is far too important a piece of legislation for this government to be allowed to ram through without consultation and without real debate. They're going to do it regardless.

#### HAY WEST

**Mr Phil McNeely (Ottawa-Orléans):** In 2002, western Canada experienced a major drought and a shortage of hay that threatened the livelihoods of thousands of farmers. It's the kind of thing most of us see on TV and shake our heads and change the channel.

But Wyatt and Willard McWilliams, two prominent members of the farming community in Navan, Ontario, near Ottawa, decided to do something about it. With co-operation from the community, government officials, CN and CP Rail, the McWilliams brothers launched the Hay West initiative.

Through Hay West, farmers from Ontario and the rest of eastern Canada shipped 30,000 tonnes of hay to western Canada. Over 1,400 farmers from Saskatchewan and Alberta received the hay and experienced a renewal of hope for their farming businesses.

Wouldn't it be great if we saw the same kind of national co-operation in support of our beef? "Buy Canadian beef." That's what we should be saying.

Last night in Ottawa, MP Don Boudria hosted the official launch of Hay West: A Story of Canadians Helping Canadians. Written by local author Bob Plamondon, this book tells the story of how people across eastern Canada, from farmers to politicians to business people, came together to help their brothers and sisters in the west.

As a former municipal politician who helped to get Hay West off the ground, I congratulate all members of Hay West on their achievements. I hope that Mr Plamondon's book will be a record of just how compassionate, caring and even heroic Canadians can be when they seize the opportunity to help fellow countrymen in need.

#### HYDRO ONE WORKERS

**Mr Ernie Parsons (Prince Edward-Hastings):** I'm pleased to rise in the House today to recognize the dedication and hard work shown by the workers of Hydro One during the recent series of hurricanes in Florida.

As we've all seen in the news, Hurricane Frances hit the sunshine state with devastating effects. Two hundred seventy workers, in three convoys of Hydro One trucks, went to the hardest-hit part of Florida: Stuart and Port St Lucie. Between September 10 and 21 they worked 16-hour days, were the last to go home and were recognized by Florida Power and Light to be among the very best crews they've ever seen. But just when the crews returned home, another hurricane hit. Florida Power and Light called with another request for assistance, and 230

staff were sent to the same devastated areas between September 25 and October 6.

I would like to tell the Legislature about an example of amazing citizenship that was demonstrated by some of these workers. The children's football team in Port St Lucie had been admiring the work of the crews, and asked if they could change their team name to include Hydro One. The workers agreed and took up a collection to help this team, which didn't even have its own jerseys. The workers raised over \$1,000, which the team used to buy new jerseys that had "Hydro One" printed on the back.

This is an example not only of leadership and hard work, but also of good citizenship in co-operation with our neighbours when they were in a time of severe distress. On behalf of my colleagues, I would like to say thank you to the Hydro One crews and offer my congratulations on a job well done.

#### CLASS SIZE

**Mr Tony C. Wong (Markham):** When we formed the government a little more than a year ago, one of the central planks in our platform was reducing class sizes for our youngest students. Since then, we have been making huge strides to meet that end, and I'm proud of our achievements so far.

More than 7,500 elementary teachers are beginning the year with specialized training in reading and math instruction as part of the government's effort to boost student literacy and numeracy in the all-important early grades. School boards are hiring more than 11,000 new teachers as a first step in reducing class size in the early grades.

What's more, more than 1,300 schools have smaller classes in the primary grades throughout the province, and that is making a real difference. I know the York Region District School Board chairperson, Bill Crothers, thinks so. He was recently quoted in one of our local papers as saying, "Our students are better served today." That's right; straight from the horse's mouth. Students who attend schools in York Region District School Board are better served, and if we can accomplish that much in education in one short year, just think of the improvements that will be made in the next three.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Alvin Curling):** I beg to inform the House that today the Clerk received the report on intended appointments dated November 17, 2004, for the standing committee on government agencies. Pursuant to



standing order 106(e)9, the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### CITY OF BRAMPTON ACT, 2004

Mrs Jeffrey moved first reading of the following bill:

Bill Pr10, An Act respecting the City of Brampton.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

1350

### RECALL ACT, 2004

#### LOI DE 2004

### SUR LA RÉVOCATION DES DÉPUTÉS

Mr Flaherty moved first reading of the following bill:

Bill 148, An Act respecting the recall of members of the Legislative Assembly / Projet de loi 148, Loi concernant la révocation des députés de l'Assemblée législative.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All opposed, say "nay."

I think the ayes have it.

Mr Flaherty?

**Mr Jim Flaherty (Whitby-Ajax):** This bill is comprehensive, detailed recall legislation. I'd like to thank my former legislative intern Michael Acedo for his extensive work on the bill.

The purpose of the bill is to provide a process by which members of the Legislative Assembly may be recalled and a by-election held to fill the vacant seat. The first step in the process is the issuing of a recall petition. If the petition is signed by more than 25% of the total number of individuals who are entitled to sign it, and the petition otherwise meets the requirements for a successful recall petition, the Chief Election Officer shall hold a referendum to decide whether the member should be recalled.

Sections 11 to 22 describe the referendum process, in particular with respect to financing and advertising of referendum campaigns. If more than 50% of those entitled to vote on the referendum answer yes to the referendum question, then the member is recalled and his or her seat in the assembly becomes vacant. A by-election is then held to fill the vacancy. The recalled member is free to be a candidate in the by-election.

No doubt this bill will be supported by the Liberal members opposite, given their promise of accountability to the electorate.

## ORAL QUESTIONS

### SCHOOL TRUSTEES

**Mr Robert W. Runciman (Leader of the Opposition):**

My question is for the Premier. Today we learned that trustees at the Toronto District School Board, apparently with the quiet blessing of your Minister of Education, cooked up a way to get around the law and increased their incomes by approximately 200%, this at a time when you are calling on teachers, nurses and other public sector workers to temper their wage demands, except for 2%, the Premier is suggesting. You've talked a good game about transparency, openness and accountability. Do you endorse this backroom deal and your minister's involvement in it?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I appreciate the opportunity to speak to this. First of all, to be clear, this is not a policy that was in any way approved or endorsed, either before or after, by any representative of this government. Secondly, so that I am perfectly clear on this, I do not approve of this policy. I believe it is unacceptable. I'm asking that the board reconsider this policy. I've also asked that the minister review our options. I'm also proud to say that we're expanding the scope of the Provincial Auditor's mandate so that he can look at, among other of our transfer partners, our school boards.

**Mr Runciman:** I guess the Premier is indicating quite clearly and unequivocally that the Minister of Education did not, in any way, shape or form, endorse that deal. Certainly that's good news.

We are concerned. According to news reports, the trustees in Toronto are receiving cheques every two weeks, on top of their regular pay, for so-called expenses—no receipts required, no proof needed and no explanation wanted. Some trustees have come forward. Patrick Rutledge is one who has admitted that these changes—he has indicated publicly that these changes were allowed by the Minister of Education. Perhaps he's talking about the Ministry of Education. I'm not sure where the confusion stems from here. Premier, your minister, according to public comments, had some role to play, or his ministry had some role to play in this. That's no way to run a province. Will you tell us today that you will put a stop to this today and make sure that this is rolled back and that the trustees pay back the taxpayers of the province of Ontario?

**Hon Mr McGuinty:** I can sympathize with the Leader of the Opposition. I've been there before—when you ask the first question and you get the answer you weren't expecting to get and then you've got two supplementaries you've got to put. I've been there before. I can sympathize with that.

Let me say, first of all, that we have a tremendous amount of respect for the work that trustees do throughout this province on behalf of our children in advancing the cause of public education.

I'm not sure I can be any more clear to my colleague. We do not endorse this policy. We do not approve of it. I'm asking that the board reconsider this policy. I have also asked the Minister of Education to take a very close look at our options in these circumstances.

**Mr Runciman:** I assume from that response that the initial approach is a request; that if that fails, there will be additional action forthcoming. We certainly like to hear the Premier speak to his willingness to take it that further step if the Toronto board declines to accept his urgings. That, we believe, is critical. If you take a look at what might happen here across the province, we are talking about millions and millions of dollars in terms of implications if every board determines that this is the kind of approach they want to take—backroom ways around the law—to supplement their incomes.

We would like the Premier to stand up here today in the House and indicate to us and to the hard-working taxpayers of Ontario that if, indeed, the Toronto board does not follow his advice, does not agree to his request, he is prepared to take the necessary action to put a stop to this.

**Hon Mr McGuinty:** To repeat, my colleague's concern is well-founded, and I share that concern. We have a difference, though, in terms of the approach that we bring to these kinds of things. We are going to work with our trustees throughout the province to ensure that we develop a good working relationship, which is not in my interest and, frankly, not in their interests; it's in the interest of our kids. We will continue to bring that kind of approach.

I am now asking that the trustees of the Toronto District School Board reconsider this policy. It is not one that is approved by this government. I have also asked that the Minister of Education explore our options. But I have every expectation that, now that this has been brought to the light of day, trustees will reconsider the steps they've taken.

#### POLICE OFFICERS

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Premier as well. On October 21 of this year, you announced during a speech to the Ontario Association of Chiefs of Police that your government will add 1,000 new police officers. You also said that your government will contribute \$30 million to this endeavour over the course of the mandate. I shouldn't have to tell you that the \$30 million is actually a pittance given that it costs about \$100,000 a year to put a new police officer on the street. Over the course of the mandate, if you started to phase it in right now, you would be covering about 15% of the cost.

Municipalities will have to pick up most of the tab for a promise that you made during the election. I ask you: Do you expect municipalities to pay for their share of hiring the new police officers with the money they collect from tax increases or from photo radar?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm sure the member is aware of

this. This is, in many ways, an extension of the program brought forward by the previous government. Just so the member has his facts straight, we're talking about funding of \$30 million a year, every year. It's my understanding—and I can refer the supplementary to the minister—that covers half the cost. Now the ball is in the municipalities' courts. It's up to them now to decide to what extent they wish to avail themselves of this program.

**Mr Dunlop:** I think you should do the math on half the cost, because it's costing a lot more than \$60 million to add 1,000 new police officers on the streets of our province.

Since your government was elected, they have increased fees for municipal police services to train recruits at the Ontario Police College and have added the cost to municipal police services of gun verification, which was previously covered by our government and by the province. What makes matters worse is that we now know that you're just buying time with your announcement on the 1,000 new police officers.

Affected stakeholders received a letter from the Ministry of Community Safety. I believe the letter is code for, "Let's drag this one out as long as we possibly can before we have to put any money into it."

Premier, we believe it has been all talk but no action, so far, on keeping the promise on the 1,000 new police officers. Can you tell us when you're going to allocate money and if you'll let the police services decide how to use that money?

1400

**Hon Mr McGuinty:** Rather than refer it to the minister, I'm going to hang on to this one so municipalities will better understand where we're coming from.

We're going to make the money available this coming year. It is part of a new and much better relationship we are developing with municipalities. In fact, just recently I received a letter from Roger Anderson, president of the Association of Municipalities of Ontario, who says in passing, "There is a refreshing new approach to inter-governmental affairs underway in Ontario, and this association welcomes it and will work diligently to enhance it. Our citizens deserve nothing less."

I understand the scepticism brought to this matter by my colleague opposite; he has a partisan responsibility to share that scepticism here in this place. But the reality is that we are working well with our partners, the municipalities across the province.

**Mr Dunlop:** I'd like to get some comments from the Premier on the response he got back from mayors on the 1,000 new police officers. You made a promise to put 1,000 more cops on the street. You should keep this promise before you do anything else.

It has also been brought to our attention that your government is creating a new so-called Ontario centre for safer communities. Apparently, this new centre will reflect what you would consider to be a new approach to crime prevention, crime reduction and promotion of safer communities. To help cover the operating costs of this



project, I understand that several ministries in your government will transfer funds to the Ministry of Community Safety and Correctional Services. We know that the ministries had until October 15 to indicate whether they would participate. Premier, how much will this new centre cost, and where will it be located?

**Hon Mr McGuinty:** To the minister.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** My parliamentary assistant is working on that project. We have announced it, we've invited several ministries that will be impacted by this to participate, and we will be announcing, at the appropriate time, what the program is going to do and where it's going to be located.

### ELECTRICITY RESTRUCTURING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. This fall, we've been asking a lot of questions about your promise gap; that is, the difference between what you promised before and during the election and what you deliver now.

During the election, you promised to keep hydro-electricity public in Ontario. Last night, you introduced a time allocation motion that will choke off debate on Bill 100, your private hydro bill. We know what's at stake here. Private electricity drives up the hydro bill for industry, for business, for consumers. We believe there should be a meaningful public debate about this before it happens, but you want to shut up MPPs and shut down debate. What are you trying to hide, Premier, by shutting down debate on the future of Ontario's hydroelectricity system?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Energy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** This bill has had eight hours of second reading debate. I remind the Leader of the Opposition that this bill was sent to committee after first reading. It was travelled to eight communities. We received 100 delegations and 865 written presentations. The bill has had a considerable amount of debate, and we believe it's appropriate to move the bill back into committee for clause-by-clause consideration.

**Mr Hampton:** I think the people of Ontario would know that besides being a \$10-billion industry, this has a lot to do with whether people can afford to keep the lights on, whether they can afford to pay the hydro bill.

Here's one thing I know you're trying to hide. This is the report of the Association of Major Power Consumers in Ontario, which represents the largest industries in the province: Ford Motor Company, Stelco, Dofasco, Inco, Bowater Pulp and Paper. This report says that the McGuinty hydro scheme will drive up the price of electricity by at least 30% for industry—possibly by 53% for industry—and will result in the loss of 140,000 manufacturing jobs in this province. That is what you are trying to hide.

Minister, before you try to ram through your bill to turn Ontario's hydroelectricity system into a private

system, don't you think the people who may stand to lose their jobs deserve to hear a full, open, public debate?

**Hon Mr Duncan:** The same member opposite last year said prices would go up this year by 30%; they've gone down by 19% in the wholesale market.

Let me respond directly. First of all, many of the corporations that are in that have expressed support publicly for Bill 100. Bill 100 will not lead to higher prices for electricity. Bill 100 provides forward planning. It will allow us to bring on new supply and decrease demand. The only way to lower price is to increase supply and decrease demand, and we are doing both those things.

Let me tell the member opposite—you talk about time allocation. Do you remember the Social Contract Act? You time-allocated that. There were no public hearings, no debate at third reading. You time-allocated that. You had no public hearings when you raised the gas tax by 3.4%. The Bob Rae government used time allocation on 25 occasions, and they created it. This government has used it—this will be the second occasion, after public hearings; provides for third reading, and the bill—

**The Speaker (Hon Alvin Curling):** Thank you. Final supplementary.

**Mr Hampton:** I don't think the minister has been reading the association's report. This is what they say on page 15: "We urge the provincial government to fully review the cost impacts of its electricity policy." They're very blunt.

I think I know what else you are trying to hide. Eight months ago, the Premier's good friend John Manley said Pickering unit 1 would only cost \$825 million to refurbish. Three months later, you say it costs \$900 million. Five months after that, it's now \$1 billion.

You want to shut down debate because you don't want the people of Ontario to have a full and frank debate about what nuclear power means in terms of costs, what it means in terms of refurbishing other units at Pickering.

Minister, before you ram this bill through, before you try to go further down the road of nuclear fiascos that cost the Conservatives billions that they weren't ready for, that have already cost you lots of money that you weren't ready for, before that drives up the hydro bill for industry, for business and for consumers, don't you think the people of Ontario who have to pay the bill deserve a full, frank and open debate?

**Hon Mr Duncan:** We have taken the concerns of AMPCO to heart. In fact, we reviewed the policy on pricing. This bill creates a mechanism to create new supply, supply that you failed to deliver when you were government. It provides a mechanism for conservation. Your government cancelled all conservation programs in Ontario.

I'll predict today that the 43% increase in hydro rates that we witnessed under his government's policy won't be repeated. Why? Because we are moving to undo the bad things you did and the Conservatives did before us in an open and transparent way.

This bill is the right direction for energy. This bill will provide new supply. This bill will help decrease demand

and eventually lead back to competitive prices throughout Ontario, so that our economy can thrive again.

**The Speaker:** This is a new question.

**Mr Hampton:** My question is for the Premier. Premier, here is something else you are trying to hide. After telling people during the election that you wanted Ontario's electricity system to be public, you are now giving away to private, profit-driven companies the remaining river sites in Ontario that provide the potential for the cleanest and the most affordable electricity.

You've thumbed your nose at public power, you've thumbed your nose at First Nations, and you've rolled out the carpet for private companies that would simply turn this into a money-making machine.

1410

When the Conservatives sold off the Mississagi River plants to Brascan, Brascan then sold that hydroelectricity for 10 times what it cost to produce and pulled in \$17.6 million in just a few months.

New Democrats want to have a debate about keeping that source of electricity public. Why do you want to shut down debate, shut out the public and give it to your private sector friends?

**Hon Mr McGuinty:** To the Minister of Natural Resources.

**Hon David Ramsay (Minister of Natural Resources):** Again the leader of the third party has of course got it all wrong, like the rest of his colleagues. If he had listened to the announcement, he would realize that communities, co-operatives, First Nations, and yes, private companies, if they wish—there are hundreds of very small private companies looking at these opportunities across the province—can put forward proposals.

What we've also said, if the leader of the third party would take a look at the announcement I made last week, is that on the points system we've designed, it will be nearly impossible for us to consider a proposal that does not have a First Nation component to it. That's what we're doing. For the very first time, the Ontario government is moving forward with some resource development in northern Ontario and saying, "We're not going to leave our First Nations behind."

**Mr Hampton:** When the Minister of Natural Resources tried that speech on the Nishnawbe-Aski Nation, they sent him out of Thunder Bay with his tail between his legs.

I suspect the other reason the government wants to shut down this debate is because it is acknowledged that we need more sources of green power, better energy efficiency and more conservation.

This is what Keith Stewart and Jamie Swift, the authors of this recent book, say about the government's initiative: "None of this will come to pass if Ontario instead keeps investing in the money pit nuclear plants. Or if we stake our future on multinational energy companies."

The Society of Professional Engineers, who represent the skilled engineers at our hydro plants who keep our lights on, say, "Bill 100 will significantly undermine

Ontario's publicly owned and operated power system and create a new one based on a model that has failed in many other jurisdictions."

People don't want this to happen, Premier. Why do you want to shut down debate? Why do you want to deny the people of Ontario a public debate about the future of our hydroelectricity system? Why is that your record in government?

**Hon Mr Ramsay:** We're back to the bill now, and I'll refer the question to the Minister of Energy.

**Hon Mr Duncan:** This bill has had public hearings right across the province of Ontario. I attended a number of those hearings myself. We had hearings here in Toronto. We had over 100 delegations. We had over 800 written submissions. They've all been responded to.

This bill preserves and protects the hydro and nuclear assets in public hands. We deal with the question of heritage assets. The member conveniently ignores that. One thing we cannot afford is to go back to the old monopoly, the monopoly that failed to produce power in adequate supply, the monopoly that ran up a \$38-billion deficit. That member wants the status quo. That member wants more of the same. This party and this government choose change, in the best interests of electricity consumers in this province.

**Mr Hampton:** Who wants the status quo? Your electricity policy is the same electricity policy that failed under the Conservatives, the same electricity policy that drove prices through the roof and resulted in a blackout. You're the man of status quo.

I want to quote someone. This is someone who said that time allocation is a "guillotine bill, this attempt to stifle debate, to limit the ability of members to participate in the discussion." This person said, "That's why this institution is in such disrepute, because we don't want to talk about the important things." Who said that? That was Dwight Duncan, two short years ago.

Here's the reality. Hydroelectricity is an absolutely essential service. Everybody needs it. Everybody needs it every day. It's not something that should be put in private hands, in the hands of international corporations, but that's exactly what the McGuinty government is going to do, and now they want to shut down debate to keep that hidden from the people of Ontario. Premier, are you going to shut down debate—

**The Speaker:** Thank you. The Minister of Energy?

**Hon Mr Duncan:** The largest privatization of electricity in the history of the province of Ontario happened under the NDP government, of which you were a key member. Do you remember the NUGs agreements? The finance minister certainly remembers the NUGs agreements because we've had to deal with them this year to get rid of the bad deals that you set up way back in 1990 to 1993.

The part of the statement the member forgot to mention with respect to time allocation is that today marks the second time this government has used time allocation. His government used it more than 25 times, on much more controversial bills. This government had this bill



for public hearings across the province. His government, when it used time allocation, didn't provide for that. This time allocation motion provides for third reading debate. When his government used time allocation, they didn't allow third reading debate. This government has used time allocation less than any government. We also said, and I've also said in the past, it's a legitimate tool to be used on occasion—

**The Speaker:** Thank you.

*Interjections.*

**The Speaker:** Order. I'm going to ask the members to direct your questions to the Speaker, and also your responses to the Speaker. And when I stand up, I would ask the members to sit down. You have extended beyond the time that you should answer or respond to the question.

There will be a new question. The Leader of the Opposition?

### COMMUNITY SAFETY

**Mr Robert W. Runciman (Leader of the Opposition):** My question is for the Minister of Community Safety. I want to talk about a couple of things that should have been done over the past year or so that the Liberal government has been in office.

They found time to close down the highly successful strict discipline camp, Camp Turnaround, for young offenders. They found time to close down a highly effective crime control commission. They found time to do that, yet they haven't found time, despite introducing legislation in June, to deal with the reporting of gunshot wounds and requiring hospitals to report gunshot wound victims. They haven't done one thing about that, other than table it, get the headlines for the day or the week, and not call that legislation.

Here we are, well into the fall. Minister, are you sincere about this? If you are, why isn't this legislation being called?

*Interjection.*

**Mr Runciman:** There's a Toronto member interjecting.

Toronto police say the hospitals are virtual safe havens for injured gunmen on the lam. Minister, when are you going to do something about this, rather than simply talk about it?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for his question. I find it interesting that someone who occupied the position of Solicitor General would ask that question. When he was the Solicitor General, we had ample opportunity to address this issue. During the time that he was there, he totally ignored it. He totally, totally ignored it.

What has happened is that we have gone to the trouble, and to the industry—I'm talking about "the industry" as the hospitals. We talked to doctors. We talked to the Ontario Medical Association. We've got their co-operation. We made the announcement because

this is the right thing to do. The legislation will be coming forward. As you know, we have a very busy—

**Mr Runciman:** Call it.

**Hon Mr Kwinter:** Well, we will be calling it, and we will be doing it in the course of time.

Just so you understand, we have issues that we are addressing and we've done—let me give you an example. Yesterday we announced option 4. On October 1, 1998, you condemned it. That was six years ago. You were there for five years and you did nothing—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary?

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**Mr Runciman:** That's just a great deal more bull roar from the government benches.

Another issue that the minister and his Liberal colleagues have failed to deal with—and an issue I raised last spring—is the need for an inquest into the murder of 15-year-old René Charlebois in Mississauga. You were noncommittal. You danced around that, as you frequently do on these controversial issues. This is serious. We had a sexual predator in the Mississauga community who was responsible for the deaths of three young men. You are now required to have an inquest into the death of Mr Moore, who died in custody.

Minister, will you ensure that the inquest into Moore's death is expanded to look into the circumstances surrounding Moore's presence in the community, why the public wasn't notified of his presence and why he was able to live near a school and provide babysitting services? Those are important, critical issues that have to be addressed. You have a responsibility to do it. Will you make sure it happens?

**Hon Mr Kwinter:** This member constantly confounds me. He was the Solicitor General of Ontario. He knows that the Solicitor General does not call inquests. I do not have the authority to call an inquest; the calling of inquests is the responsibility of the coroner. It is not allowed for me to interfere with that process, and you must know that.

### SCHOOL FACILITIES

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Premier. Students and teachers are very worried about the crumbling state of our schools, and quite frankly I think it's a province-wide disgrace.

Last night, viewers of CITY TV news—I happened to be one of them—saw the latest chilling example: A 25-pound slab of concrete fell from the wall on to the arm of a janitor and continued its fall on to a student's chair, causing a crack in the middle of it. Fortunately, no one was seriously hurt, but Ontarians don't want to wait until someone is.

During the election campaign you promised to fix our crumbling schools. You promised to implement the Rozanski recommendation of an annual amortization fund. Last May, you promised to do it again, but we're

still waiting for action. Where is the fund that you promised?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Let me say at the outset that I'm very sorry to learn of this incident, and I offer our very best wishes to all those who were or might have been affected by this.

I can tell you that we are concerned about the state of our public infrastructure but particularly concerned about the quality of the schools in which our children do their learning. Earlier, the Minister of Education made an announcement that the government will provide funding to support \$2.1 billion of renewal work in Ontario schools through a new \$200-million amortization fund. We're proud of that announcement, and there is obviously much work to be done in making sure that becomes a reality for many school boards and schools.

**Mr Marchese:** In my view, kids can't wait, students can't wait and schools can't wait. Viewers who watch CFTO and CITY get it. They saw the damage at Vaughan Road collegiate, and they heard the caretaker who was injured state the obvious: "If you don't upkeep the buildings ... they'll fall apart." It's very simple.

Rozanski first proposed a repair fund in 2002. It's 2004 now, and this fund is still not here. He proposed a \$200-million annual fund. In case some of you don't get it, that means every year—not when Liberals decide to be generous, but every year—otherwise, buildings fall apart.

A 25-pound slab of concrete fell from the wall and injured a caretaker. It could have been worse. Can you see now what happens when you promise change and don't deliver?

**Hon Mr McGuinty:** Just by way of a very brief list of some of the changes we've made in education already, we've reduced class sizes in the early grades this year for about 1,300 schools, we've hired 1,100 new teachers, we've trained 8,000 JK to grade 3 lead teachers in literacy and math, we've trained 7,500 classroom JK to grade 3 teachers this past summer on strategies for teaching literacy and math, we've boosted funding for public education by \$854 million this year, we've ensured public money is invested in public education by eliminating the private school tax credit—the list goes on and on.

If my friend is not aware of the change, then if he asks us more questions over the ensuing days and weeks and months and years, we'll be more than pleased to provide him with that information.

Also, by way of change, on May 25 of this year we announced funding to support \$2.1 billion in renewal work in Ontario schools. It has taken years of neglect, and we are finally putting forward a fund in a practical, pragmatic way that will make a real difference.

## WATER QUALITY

**Mrs Carol Mitchell (Huron-Bruce):** My question is for the Minister of the Environment. Earlier today, you and the Minister of Natural Resources announced funding to help municipalities and conservation authorities

prepare source protection plans. After the tragic events that took place in Walkerton, we know all too well how important it is to protect our water. It is, after all, our most precious resource. Water sources are our lifeline.

Commissioner O'Connor, in his report of the Walkerton inquiry, made nearly 100 recommendations on how we can better protect our water. Can you please remind this Legislature and the people of Ontario which O'Connor recommendations this announcement fulfills and can you please update us on the government's progress on implementing all of Commissioner O'Connor's recommendations?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm happy to report on the progress that our government has made on what is a very key priority, and that is protecting our drinking water from its source to tap. Today, the Ministry of the Environment will participate in the initiative to the tune of \$12.5 million.

I would refer to the Walkerton inquiry recommendation number one, that we should implement a source protection plan and that it should apply to all watersheds in the province. I'm very happy that our government is committed to ensuring we have protection of our source water. We have hired more water inspectors, we have appointed the advisory council on drinking water quality and testing standards, and we will continue to work toward implementing all 121 of O'Connor's recommendations. The announcement today will enable us to move forward on an additional 37. To date we have accomplished 51, and we will be able to add to that 37 with today's announcement.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mrs Mitchell:** My question is for the Minister of Natural Resources. I'm extremely pleased that our government is living up to its commitment to protect our drinking water. You have explained that protecting our water is vital to our very survival. I understand that the funding provided today will help municipalities and conservation authorities safeguard one of our most precious resources: our water. What kind of work can we expect from conservation authorities on this front, Minister?

**Hon David Ramsay (Minister of Natural Resources):** A healthier Ontario is a key commitment of our government, and, of course, protecting our ground and surface water sources is the foundation of that commitment.

To the member, the more than \$12.5 million the minister and I made available today will allow conservation authorities and our municipalities to hire expert staff to do the technical studies required to quantify and qualify our water sources. These conservation authorities and municipalities will also use the money to conduct technical studies needed to move ahead with our source water protection plan. The information from the studies will give us a better understanding of how much ground and surface water we have available to support our communities and will also further our understanding of the interaction between ground and surface water and how quickly our groundwater gets replenished after use.

**The Speaker:** I would point out and let you know that the question that was put to—



*Interjections.*

**The Speaker:** Order. The question was put to the Minister of the Environment, and then the minister has to refer the question for the supplementary. I wasn't quite sure I heard a referral to the Minister of Natural Resources. In the future—

*Interjections.*

**The Speaker:** I didn't hear, and I would like to note—

*Interjections.*

**The Speaker:** Order. In the future, I would like you to follow that direction.

There'll be a new question now.

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## ROAD SAFETY

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Premier. Yesterday, your Minister of Community Safety issued a directive to police forces across Ontario saying they are to stop all traffic safety courses, or the so-called "option 4." Many communities, including the city of Barrie in my riding, offer this option to drivers for minor offences to help steer cases away from the already overburdened court system.

We now have learned that the Ontario Association of Chiefs of Police disagrees with this directive and feels that your government is taking a valuable traffic safety tool away from police forces in this province.

The association has also said, "The government was not interested in working together to address the legitimate needs of those communities that chose to implement option 4," and that yesterday's announcement was made with no prior notice to the association or to impacted police services, such as the city of Barrie.

Premier, for the communities that offer this option, monies raised are invested in enhancing police resources. What plans do you have to make up for the funding, given your hasty, knee-jerk directive?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Community Safety and Corrections.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. I should just correct some of the information that he has just given. I have met extensively with the Ontario Association of Chiefs of Police. I met with police chiefs who are using option 4 and I've met with those who aren't. The truth is, the Ontario Association of Chiefs of Police have not taken a position on this, even though we had asked them to, because they were sorely divided. They wouldn't take that step.

I just want to refer back to October 1, 1998, when this issue first came to light. The then Solicitor General and the then Minister of Transportation said that they were very, very upset with this thing. In fact, the Solicitor General said, "My concern is that they are doing this because of budgetary pressures. I don't think the justice system should be utilized for that purpose."

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Who said that?

**Hon Mr Kwinter:** That was the member for Leeds-Grenville.

I want to tell you that the money that is being—

**The Speaker (Hon Alvin Curling):** Thank you.

**Mr Tascona:** To the Premier: Your minister is wrong, because he knows what the city of Barrie police chief thinks about this issue. But that's not the issue. Clearly, you have no regard for the communities that used option 4 as a traffic safety tool, like the city of Barrie. According to the public accounts tabled by your government in March, you wrote off almost \$200 million in uncollected bills and fines from the Ministry of Finance and the Attorney General alone—\$200 million. Your directive ending option 4 will force more people into our overburdened court system and will cost municipalities hundreds of thousands of dollars in lost option 4 fees.

Guarantee us today that those who take these minor traffic offences to court will have their day in court and that justice will be served. Guarantee us today that these cases as a result of your cancellation of option 4 will not be written off as you've done to the tune of \$200 million just a few short months ago.

**Hon Mr Kwinter:** Again I'd like to correct the member's statement. The money that comes from option 4 does not go to the municipalities, so they're not losing it; it goes to the police service, which is one of the reasons why we are opposed to it. But I should tell you that without option 4, the money that has been going to the police service, and more, will be going to the municipality. All fines that are levied go to the particular municipality.

As far as not collecting that money, you should turn to the member Mr Flaherty, who was the Treasurer at the time. He was the person who didn't collect it. I should tell you that the idea of having the police, who are the beneficiaries of this money, also collect it is something that we are not prepared to condone.

## LABOUR POLICY

**Mr Peter Kormos (Niagara Centre):** A question to the Premier. Premier, when you said that you planned to transform government, you didn't tell anybody that you were going to use Wal-Mart as your model.

On November 30, the Centre for Leadership, Cabinet Office, is paying senior civil servants to go on a Wal-Mart study tour to meet with Wal-Mart managers and discuss Wal-Mart's people practices. Just so we're clear, Wal-Mart's people practices include union busting, unfair labour practices and shipping off jobs to sweatshop operators. Are these the sort of people practices that you want to incorporate into your government?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I can't tell you how much I have been waiting for this opportunity, because I have in my hands a letter. It was sent to Howard Hampton by the president of OPSSU, the Ontario Public Service Staff Union, and it reads in part as follows:

"[I]t has saddened me to see that party status has not yet returned all our OPSEU NDP caucus bargaining unit brothers and sisters back to their jobs.

"Rather, the caucus has made every effort to exclude senior bargaining unit members, especially union activists, from the new human resources (HR) plan....

"The current plan that has 13 managers/excluded and only nine members in the bargaining unit is a travesty."

I look forward to hearing more from the champions of the working people.

**Mr Kormos:** You're spending a huge amount of public money sending senior public servants to a Wal-Mart-driven exercise, a company that has excelled at busting unions, hiring scabs and exporting jobs.

The United Food and Commercial Workers have been working with Wal-Mart's workers in an effort to get them a union. You've demonstrated with your labour legislation that you're no friend of non-union workers in this province, or of unionized workers.

*Interjections.*

**The Speaker (Hon Alvin Curling):** I'm going to ask the Minister of Energy to just tone it down a bit. I cannot hear the member from Niagara Centre.

**Mr Kormos:** You've demonstrated yourself to be no friend of either union or non-union workers in this province, and now you're inviting Wal-Mart's managers in to show your public sector leaders how to bust unions.

Mike Fraser, president of the United Food and Commercial Workers, points out that Wal-Mart workers on an average make less in a week than your staff will spend on their day at the Wal-Mart academy of higher learning. He wants you to pull the plug on that. Will you?

**Hon Mr McGuinty:** As you might suspect, there's more. This, from Robert Field, who is, by the way, president of OPSSU:

"The Ontario NDP should be a model progressive employer, sensitive to labour principles and workers' rights. However, it appears to be far from that....

"Until the caucus proposes an appropriate HR plan to the OPSEU representatives, you will be asking me in vain for donations to the party. Further, I am recommending to my membership and to the 100,000 members of OPSEU that PAC donations, and perhaps memberships, ought to be withdrawn unless fundamental change is made now in the way the NDP caucus is organized and run."

It is signed:

"In waning solidarity,

"Robert Field,

"President, OPSSU."

**The Speaker:** New question?

*Interjections.*

**The Speaker:** It seems to me that the government House leader and the Minister of Infrastructure wouldn't like to hear your question, so maybe the member for Chatham-Kent Essex—

**Mr Kormos:** On a point of order, Mr Speaker.

**The Speaker:** I'm sorry, a point of order.

**Mr Kormos:** Leah Casselman would be very concerned that the Premier has replaced her with one Robert Field as president.

**The Speaker:** That's not a point of order. Member from Chatham-Kent-Essex.

## FAMILY HEALTH TEAMS

**Mr Pat Hoy (Chatham-Kent Essex):** My question is to the Minister of Health and Long-Term Care. In this year's budget, our government announced the allocation of \$600 million for the creation of 150 family health teams across the province.

Southwestern Ontario is facing a serious doctor shortage. Our current doctors are struggling under enormous caseloads. A high percentage of the doctors in our communities are over 55 years of age. The Chatham-Kent Health Alliance determined that one in three people leave our community for their health care. Residents without a family physician often turn to hospitals as a primary source of care.

Family health teams will improve primary care and bring badly needed doctors and health care services to our communities. Minister, can you reassure this House that our government is working to deliver on our campaign promise to bring family health teams to southwestern Ontario?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Yes, I can. I am pleased to say to the honourable member that I had a chance, as he well knows—and the member from Essex too has been working very hard on projects.

We made a commitment to build 150 family health teams until the next election, and we will. The first 45 of those will be announced this year. Our government has put \$600 million behind an investment to enhance the quality of primary care, because we know in many communities, such as the ones identified by the honourable member, the sheer absence of access to family practitioners is a very serious hardship.

Our model will bring health practitioners of a variety of sorts together so that there is a team environment working on behalf of the patients in that area. This stands out as one of the most essential elements of our government's strategy to transform health care by driving it down to communities and making family doctors available again in communities, after years and years of the absence of any commitment in that regard from two parties while in government.

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**Mr Hoy:** Minister, Chatham-Kent Essex supports our government's initiative to improve health care and to bring more care to the community level. Across my riding, family health teams are being designed for communities and by communities. Tilbury has been working diligently for the past nine years to bring a family health team to that community. As well, Leamington has started work on its own proposal. Minister, can you please tell this House what we should expect in the coming months?



**Hon Mr Smitherman:** First and foremost, because so many communities in Ontario have asked to be considered for community health centres—I'm pleased to say that last week we had the chance to launch 10 new community health centre satellites, three of them in southwestern Ontario, one in northeast London, one in Sarnia and one in Windsor—we're going to make those communities that desire community health centres our first priority for expansion of family health teams. They've invested a considerable amount of community effort in the work to prepare so far, and we're going to take advantage of that community effort and seek to make sure we have success in that area.

I know the honourable member has been advancing, on behalf of the communities of Tilbury, a Chatham-Kent Essex family health team working group, that there's a proposal down there that has a lot of merit and a lot of community support as well. The assurance that I give this honourable member and others in the House who have communities similarly interested is that we will be launching the first 45 of these family health teams this year. I would further say that our agreement with the Ontario Medical Association is designed to dramatically align doctors in family practice behind the commitment to deliver more resources at the community level.

#### VOLUNTEER FIREFIGHTERS

**Ms Laurie Scott (Haliburton-Victoria-Brock):** My question today is to the Minister of Community Safety and Correctional Services. Rural communities such as mine depend on double-hatter firefighters. Municipalities in my riding of Haliburton-Victoria-Brock have been clear about the important role these volunteers play in protecting community safety. The firefighters' union is acting in a self-serving manner by threatening these double-hatters. They are threatening the jobs of full-time firefighters who are simply trying to give something back to their communities.

The people who understand the importance of protecting public safety are telling you that these volunteer firefighters are needed, that the small communities don't have the resources to spend the approximately \$450,000 a year it takes to have a full-time firefighter. Double-hatter firefighters are some of my community's most dedicated volunteers. They're protecting their communities and bringing needed firefighting expertise to largely volunteer fire services. Minister, will you do the right thing and stand up today to support the right of firefighters to volunteer however they wish?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** As I've said many times before, my primary concern is public safety, and I want to make sure the people of Ontario have adequate fire coverage. Having said that, the issue is one that is being addressed and monitored by the fire marshal. We appreciate the valuable role of volunteers; we support volunteers. But we think the way to handle this is through the collective bargaining process. The fire marshal is

monitoring it. If he feels the safety of the people of Ontario is at risk, he will make recommendations to deal with it.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Ted Arnott (Waterloo-Wellington):** The member for Haliburton-Victoria-Brock deserves credit for her steadfast support of volunteer firefighters, and in turn for her understanding of this important community safety issue in rural and small-town Ontario.

On March 31 of this year, this minister made a commitment to this House that he would convene another round of mediation, and if that didn't work, he said—I quote him again—"I'm going to bring forward legislation." I know this minister to be an honourable member. I know he understands—

*Interjections.*

**The Speaker:** I'm going to ask the member to quiet down a bit.

**Mr Arnott:** I know this minister understands how vital double-hatters are in the communities they serve—communities they help make safe. I know he's aware of the headline in last Saturday's Kitchener-Waterloo Record that states, "Fire Marshal Sides with Double-Hatters." I know he's aware that Greg Ankenmann, of the Perth East Fire Department and captain of the Shespeare station, has been forced to quit as a volunteer because of union threats. Captain Ankenmann has written to me saying that these forced resignations, obtained under duress, are "going to jeopardize emergency response in our area and across Ontario," therefore putting public safety at risk.

When will the government listen to the fire marshal, volunteers themselves, the chiefs' association, AMO, 165 municipal councils, and even the Minister of Community Safety and take action to protect—

**The Speaker:** Thank you, Minister?

**Hon Mr Kwinter:** In the past, I have commended the member for his efforts and for the diligence with which he has been pursuing this issue. The only thing I have to say to him is that when he was on the government side, he brought forward his private member's bill. Not only did it not pass, but several members of his existing caucus did not support it and most of them didn't even show up to vote. So for him to sit there and condemn me for not dealing with it when his own party would not support it—I will be taking my direction from the fire marshal. We will make sure that the safety of the citizens of Ontario is protected, and we think the collective bargaining process is the way to go.

#### POVERTY

**Ms Andrea Horwath (Hamilton East):** My question is to the Premier. Today, the Social Planning and Research Council of Hamilton released a damning report on incomes and poverty in Hamilton. The stats are absolutely staggering. It shows that one fifth of all people in Hamilton are living below StatsCan's low-income cutoff. Some 80% of single moms with children under the age of six are living in poverty.

Your government is responsible for the lack of affordable housing, affordable and accessible daycare, job training and other programs that could actually address some of these conditions. You can fix this, but not with a simple little pilot project here or there or a totally inadequate increase in social assistance rates. I want to hear from you, Premier, that you are making the city of Hamilton's survival a priority. How could things get so bad on your watch?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Community and Social Services.

**Hon Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** I'm very happy to address this. The people of Hamilton really do deserve this government, which is there as a partner for them like no government before. Let me tell you that Mayor Di Ianni is very appreciative of the assistance that this government has brought to bear on social service issues, for example: \$19 million worth last year alone.

This government, whether it be through the increase in the minimum wage for the first time in 12 years—for the first time in many years, there is new child care money from the federal government going to child care—a significant issue for families who do live at or near the poverty line; for the first time in 12 years, increasing social assistance to the tune of \$110 million across the province. And agencies that work daily with people who struggle with poverty all saw at least a 3% increase in their base budgets to assist them in helping people who truly need help.

**Ms Horwath:** A \$19-million one-time hit to a budget in a crisis during a by-election is not a sustainable solution to the problem of poverty in my city. We need some serious investments and some comprehensive plans to deal with this crisis, not the tinkering that we've seen from your government.

Believe me, poverty has huge costs—we all know this—for everyone, not just those who are struggling to survive. Hungry children cannot learn. Hungry people with no housing get sick, and they get sick more often. They have more encounters with police and with the judicial system. It's obvious that people cannot survive on the kinds of supports that you are willing to provide. It's obvious that the economic and social effects of these kinds of crises in communities like mine are absolutely huge. When are you going to start taking this seriously?

**Hon Ms Papatello:** On behalf of this government, let me say to the people of Hamilton that we are very positive about the city of Hamilton. We believe the city of Hamilton has a great, bright future. We will be there for the city of Hamilton as a partner, and we will especially be there for the people of Hamilton who need help, the people who are at or below the poverty line. We are coming through with programs, like our minister for infrastructure, who just announced 140 more affordable housing units for Hamilton.

Let me say what we are doing in our ministry alone to help on homelessness issues, where we are talking about

streamlining programs to save administrative costs, where we're talking about agencies that have to work diligently and will finally see the provincial government as a real partner. But most of all, let's say to the people of Hamilton: We believe in you, Hamiltonians.

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## GREENBELT

**The Speaker (Hon Alvin Curling):** New question, the member from Stoney Creek.

**Ms Jennifer F. Mossop (Stoney Creek):** Thank you, Mr Speaker—a part of the great city of Hamilton.

My question is for the Minister of Municipal Affairs and Housing. The government's proposed greenbelt legislation is of particular concern to my riding of Stoney Creek. Most agree on the principle of the legislation; from 10,000 feet up it's perfect, it's gorgeous. But at the grassroots there are issues in my riding and in other areas that we have to sort out.

Some of the people I've talked to want to know whether or not there's any flexibility built into where those lines are going to go and what is still truly tender fruit land. How are you going to deal with any adjustments that might have to be made to those draft lines, and is there some flexibility built into this?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I thank the member from Stoney Creek for her question.

First of all, let's get the facts straight. This government is doing what no other government has done before: We are protecting an additional one million acres of environmentally sensitive land for future generations to come. The proposed greenbelt was based on science.

As the member knows, we're holding eight meetings around the province of Ontario, around the greenbelt area currently, in order to hear from people, what their opinions are and whether or not adjustments should be made to this particular plan. We want to hear from the people, we are consulting on this plan and we're going to end up with something that we can be proud of for the next 100 years to come.

**Ms Mossop:** In addition, the Niagara regional agricultural task force is recommending that the government undertake a number of things to help farmers out through this transition period. What is the government's view of those recommendations and how likely is it that we are going to have them implemented?

**Hon Mr Gerretsen:** I'd like to refer that to the Minister of Agriculture and Food.

**Hon Steve Peters (Minister of Agriculture and Food):** I want to thank the member from Stoney Creek for the question. We appreciate the work that the Niagara region undertook with their task force report. It's quite interesting, when you review the Niagara region task force report and look at the good work that was undertaken by Lyle Vanclief and Bob Bedgood, that the agricultural advisory team's recommendations back to the provincial government virtually mirror the report that



was put forth by the Niagara region. For anybody who would like to see the work that Mr Vancief and Mr Bedggood undertook, it is available on the OMAF Web site. Certainly if anybody would like a hard copy, we're prepared to send it to them.

We want to use the advice that the ag advisory team put forward to help strengthen agriculture in this province. We want to move forward with strong provincial policy statement reviews to deal with the question of surplus dwellings in those areas. We want to deal with minimum distance separations. Right now, we have two classifications of minimum distance separations. We're going to move forward and move that into one.

As well, we're going to work with the Attorney General and the Minister of Transportation to enhance the Trespass to Property Act, as well as moving forward in time with other of the recommendations—

**The Speaker:** Thank you.

## PETITIONS

### LESLIE M. FROST CENTRE

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition regarding the Leslie M. Frost Centre.

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Centre has been Ontario's leading natural resources education, training and conference centre aimed at fostering an understanding of natural resource management, with a focus on ecosystems and their sustainability for future generations; and

"Whereas the McGuinty government refused to consult with municipalities and other user groups before taking this drastic action and continues to operate in a clandestine manner; and

"Whereas this move will hurt the people and economies of Muskoka and Haliburton, especially those in the local tourism industry; and

"Whereas the Frost Centre is a valuable resource for elementary, secondary and post-secondary institutions, as well as a variety of other groups;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government reverse the decision to close the Leslie M. Frost Centre."

I support this petition and affix my signature to it and will give it to Danika Hawthorne, the page from South River, Ontario, in the riding of Parry Sound-Muskoka.

### CHIROPRACTIC SERVICES

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I send this to you by page Eric.

### OPTOMETRISTS

**Mrs Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists (OAO) expired March 31, 2000; and

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists, in that they no longer cover the costs of providing eye examination; and

"Whereas it is in the best interest of patients and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care that they need;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process, in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario."

I am in agreement with this and I will affix my signature.

### HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition that was sent to me by the United Steelworkers of America. It reads as follows:

"Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

"Whereas this privatization of health care services will force Ontarians to pay out-of-pocket for essential health care;

"Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government's new regressive health tax;

"Whereas the Liberals promised during the election that they would not cut or privatize health care services in Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care."

I agree with the petitioners. I have affixed my signature to this.

#### CHIROPRACTIC SERVICES

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Parliament of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic" services "will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned," therefore "petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province" of Ontario.

Mr Speaker, I will present this to you through this wonderful page, Ellen.

1500

#### PIT BULLS

**Mr Tim Hudak (Erie-Lincoln):** I've got a petition sent to me by the Golden Horseshoe American Pit Bull Terrier Club—the mailing address is in Grimsby, Ontario—with almost 2,000 signatures.

"Whereas aggressive dogs are found among any breed or crossbreed, and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds,

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds."

In support, I affix my signature.

#### CHIROPRACTIC SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition sent to me by thousands of patients who are concerned about this government's cut to chiropractic care. It reads as follows:

"Whereas the elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Whereas those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Whereas the elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"Whereas there was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I agree with the petitioners and sign this as well.

#### REFUNDABLE CONTAINERS

**Mr Tony Ruprecht (Davenport):** I rise a second time, because I keep getting petitions regarding the Ministry of the Environment. It's addressed to the Parliament of Ontario and the Minister of the Environment, and it reads as follows:

"Whereas we find lots of pop cans and beer bottles in our parks and children's playgrounds;

"Whereas it is, therefore, unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill" sites "every year instead of recycling them;



"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

"Therefore we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, bottles of beer, wine, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

Since I strongly agree, I certainly want to sign my name to this petition.

### VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Waterloo-Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

It's signed by a number of my constituents in the Woolwich Township area, and, of course, as you'd expect, I've affixed my signature to it as well.

### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition sent to me by about 70 constituents from Sudbury and Nickel Belt. It reads as follows:

"Whereas the Ministry of Health has recently approved a request by the Sudbury Regional Hospital to expand the geographic area where hospital patients who need long-term care can now be placed;

"Whereas this situation has occurred because there are no long-term-care beds available in the Sudbury region for these patients;

"Whereas patients now face discharge and placement in long-term facilities far from home, in ... Espanola and Manitoulin Island;

"Whereas the redevelopment project at Pioneer Manor has freed up space which could be converted into 30 temporary long-term-care beds;

"Whereas this provides a positive solution to our bed crisis;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the McGuinty Liberal government fund these 30 temporary long-term-care beds so that no patient is sent far from home for long-term care."

I agree with the petitioners and have affixed my signature to this.

### IMMIGRANTS' SKILLS

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition addressed to the Ontario Legislative Assembly regarding access to trades and professions in Ontario.

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry, or re-entry, of skilled workers and professionals trained outside Canada into the Canadian workforce."

I am very pleased, Speaker, to sign this petition and I send it to you by page Aisha.

### VOLUNTEER FIREFIGHTERS

**Mr Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters

and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo-Wellington MPP Ted Arnott”—my colleague—“has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

#### AUTISM TREATMENT

**Ms Shelley Martel (Nickel Belt):** I have a petition with, on this round, 150 signatures. I delivered the first 7,011 on April 5. It’s sent to me by Cynthia Boufford of London, whose autistic child, Jordan, was cut off from IBI treatment under this Liberal government.

It reads as follows:

“I support the resolution to ensure all people with autism receive appropriate services for their disability through the health care system.

“Autism is a medical condition and, as such, these citizens of Ontario should not be deprived of medically necessary treatment based on their age or the severity of their autism.

“Waiting lists for intensive behavioural intervention providing less than the optimum number of hours of treatment, penalizing families for advocating and discharging children just because they turn six are human rights violations and are, quite frankly, just morally wrong.

“Funding autism treatment through the health care system would ensure that service providers follow clearly established medical ethics and regulations.

“Discharges from the intensive behavioural program are occurring daily as children turn six years old. These children may regress, and then the money invested in their therapy programs will have been wasted.

“Act now, because this is an emergency for these families and their children.

“Premier McGuinty, please take immediate action to ensure not one more child or adult with autism is deprived of medically necessary treatment which will enable them to reach their full potential.

“As a citizen of Ontario, I will not allow this injustice to continue.”

As I said, I now have 150 of the next 5,000 to come. I agree with the petitioners and I’ve affixed my signature to this.

1510

#### ORDERS OF THE DAY

##### GREENBELT ACT, 2004

##### LOI DE 2004 SUR

##### LA CEINTURE DE VERDURE

Resuming the debate adjourned on November 16, 2004, on the motion for second reading of Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / *Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l’aménagement de l’escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d’Oak Ridges et à la Loi de 1994 sur la planification et l’aménagement du territoire de l’Ontario.*

**The Deputy Speaker (Mr Bruce Crozier):** Just by way of explanation, the last speakers were the members from Glengarry-Prescott-Russell and London-Fanshawe. The member for London-Fanshawe is here today, so we will have a round of questions and comments, beginning with the member for Erie-Lincoln.

**Mr Tim Hudak (Erie-Lincoln):** Thank you, Mr Speaker, and thank you for the explanation. I was very curious during question period today about the Minister of Municipal Affairs’ response, where he seems to now be getting it, that there are problems with the greenbelt map.

Another curious answer the minister had was that he said it was based on science. Some of us wonder about what kind of science is underlying the greenbelt map as it stands. We think maybe he meant political science. Members of the opposition are certainly going to look closely to see if these boundaries were based on good science—physiographic features, for example—or if they were based on the political concerns of government members.

A recent article: “Erin Fighting Mad over Suddenly Being Placed in Green Belt: Puslinch Councillors Adopt a Wait-and-see Attitude for Now.” Mayor Rod Finnie of Erin said in this article that he was hopping mad that they were not included in the initial greenbelt map, and that they woke up one day and found out that they now were included. His biggest concern is that the town “was not informed from the start. If we had been, we would have spent” more “time on it.”

A similar article recently: “Greenbelt Delivers Blow to Georgina,” causing a loss of jobs in the Georgina area. Last night in Pelham, at a town hall meeting with a great



crowd out—Pelham wakes up one morning and finds that the greenbelt boundary had shifted considerably. You should have heard last night—my staff member reported back the kind of angst, the vitriol directed at Dalton McGuinty and his lack of support for farmers in the Niagara Peninsula and across the province of Ontario, and the surprise.

We're going to look very closely to find out exactly what science is behind the greenbelt mapping. We fear that it's more political science than anything else.

**Mr Gilles Bisson (Timmins-James Bay):** I was here last night for the debate, and I'm just going to say again that there's much in this bill that we support and, quite frankly, are going to vote for. But there are a number of issues that the government is failing to put on the table when it comes to the whole greenbelt issue.

For example, how are we going to deal with intercity travel? How are we going to deal with urban travel within the greenbelt area? It's one thing for the government to say, "We're going to create a greenbelt in this area in order to be able to protect sensitive lands," but it's quite another thing if you don't put in place the policies and the dollars necessary to develop the type of transportation policy that you need to protect the greenbelt.

You know the old saying when it comes to the construction of freeways and highways: build it, and they will come. The point I make here is that we have been relying more and more on highways and superhighways in that area for a long time. If we want to protect the greenbelt area, we're going to have to seriously take a look at putting some dollars into supporting public infrastructure such as rail, in order to be able to move people on what we now call the GO system and possibly expand it across the GTA and throughout the entire greenbelt, in order to allow a lessening of the need for highways. The problem is, if you don't do something, we're just going to have to build more highways, and the more highways you build, the more pollution goes up in the atmosphere and the more encroachment there is on greenbelt lands.

The other issue, and we talked about this very quickly yesterday, was the issue of what happens in agriculture. It's one thing for us to say as legislators that we want to protect the greenbelt and we're going to protect those farms within the greenbelt. But if you really want to protect farms, give the farmers the kind of support they need. We know the industry is very hard-pressed. Take a look at the BSE issue; take a look at everything coming at the same time. It's almost like the perfect storm when it comes to the agricultural industry.

The governments, both provincial and federal, have to do more in order to be able to support the agricultural industry, to help them deal with the difficulties that they're going through. The greenbelt in itself is not going to protect the family farm. It's going to take far more than that to actually do the protection.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** The proposed greenbelt plan is intended to strike a balance between environmentally sensitive lands, agriculture and the need for growth. I just heard about the

issue of scientific analysis. The greenbelt is a plan that takes in technical analysis and scientific analysis. What we're trying to do is identify the areas that are best suited for the purposes we intend. As I said, there are three particular areas we're trying to deal with in this. We're talking about natural areas, agricultural systems and settlement areas. All those have to be taken into account.

You mentioned earlier that the minister was talking about the boundaries. We're in the process right now of doing consultations. As he said, we've done eight of them. At this point, if boundaries were frozen, then really, what would be the point of doing consultations? That is exactly why we're doing this. We want to hear from people as to how they feel about the boundaries we've put in place, the kinds of plans that the greenbelt is going to be. Last night there were 400 people who showed up in Burlington to talk about this very issue. We want to take all that into consideration. It's not a matter of it already being set in stone. This is what the consultation process is all about, and that's what we're trying to do.

You talked about farmers. Certainly I'm concerned about farmers. But the issue of viability is not just an issue of viability within the greenbelt; it's an issue throughout the entire province. We have issues across all of Ontario.

We talked about the whole issue of viability and land use. I just read a report from the region of Niagara in which they asked about the impact of the greenbelt on the Niagara region. Agri Choice, which is a real estate firm, came forward and said there would be no impact on the land values for farmers. So we know at this point that that, at least, is solid.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this afternoon and make a few comments on the comments that were made last night when we finished debate. I'd like to go back a little bit to my colleague for Erie-Lincoln, who is our lead on this bill and who has done a tremendous amount of work dealing with the stakeholders and showing leadership. Obviously, from the government side all we've seen is a fancy announcement with some fancy lines drawn around what may now be political areas, if I'm gathering what my colleague for Erie-Lincoln is telling me.

I'd like to reflect on the comments he made about his concerns for the agricultural community and tie it into his friend from Owen Sound, Mr Murdoch, who gave a passionate speech last night on his interest in the agricultural community and how they've been let down by this government over and over again. Today I heard the Minister of Agriculture referring to a question in Stoney Creek. There are so many questions the Minister of Agriculture could be listening to. I can go over and over these questions. Basically, what we're hearing from agriculture stakeholders is that we don't have a Minister of Agriculture. Everyone's turning on him. He's not making a lot of people very happy.

**Mrs Carol Mitchell (Huron-Bruce):** That's not true, Garfield, and you know it.



**Mr Dunlop:** I can hear some heckling going on already. I deal with a lot of agriculture stakeholders and I haven't heard anyone speak friendly about this guy. Look forward to a cabinet shuffle, because this bird's on his way out.

We're serious. This is a very serious concern. We, in the opposition party, are concerned about the agriculture community. It makes up the bulk of rural Ontario. Hundreds of thousands of jobs and millions of dollars, and we don't have any support from this government on it. They're just laughing in the face of the agriculture stakeholders. That's a disgrace, and so is this bill.

**The Deputy Speaker:** The member for London-Fanshawe has two minutes to reply.

**Mr Khalil Ramal (London-Fanshawe):** I'd like to thank all the members who spoke, from Erie-Lincoln, Timmins-James Bay, Lambton-Kent-Middlesex and Simcoe North.

First, in question period we listened to a question to the minister who is in charge of this portfolio. He answered and spoke clearly about open consultation, asking the people, holding meetings across the province, across certain areas, who are going to be affected by the greenbelt, and also listening to their concerns. Of course, it's going to take quite a bit of time, but all the members of this House agreed that this greenbelt initiative is something that has never happened before. I believe all members of this House are going to vote in support, I hope, because I believe it's a good thing for Ontario.

1520

Also, I was listening to the concern of the member for Timmins-James Bay, who was talking about investment in transportation. I want to just remind him—I was looking at my paper here—of some good things about transportation. Our government invested \$90 million to assist the TTC, in addition to the \$1-billion initiative from the federal government. This initiative is very good, I believe. Also, we're investing to improve public transit. We have committed \$600 million to Ottawa for rapid transit expansion programs. So I believe it's working, as a government, to ensure good public transit efficiency in this province in order to support all the people who commute. Then we don't have to eat the farmland and we have to support the farmers. This is what it's all about, to my colleague from Timmins-James Bay.

Also, I believe the member from Lambton-Kent-Middlesex phrased the whole thing very well when she said that our government initiative is not just to protect certain areas for farmland but for all farmers across the province. I would applaud the Minister of Agriculture, who's working hard on behalf of all the farmers in this province to make sure that their voice is being heard, not just in this place but everywhere in this province.

**The Deputy Speaker:** Further debate?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** As we debate Bill 135 and deliberate on the science of greenbelt approaches, or, as the member for Erie-Lincoln has just put it in the box, of the political science of greenbelt issues, I'd like to review some issues that are of

interest to landowners and farmers in my riding in Haldimand-Norfolk-Brant. We are not part of the greenbelt area. However, the northern part of our riding will be, and is now, receiving the migration of leap frogs who will jump out of this green line on the map of Ontario to find more affordable housing to the south. I'm thinking mainly of the Caledonia area, south of Hamilton.

Over the past number of months this government has picked up on a direction, an initiative, of both the Harris and Eves teams, where we left off in addressing a growing problem across so much of southern Ontario, not just the GTA and the Golden Horseshoe, a trend we've seen for decades and decades: the threatened gobbling up of massive tracts of farmland, while at the same time much of our cities and city cores go to seed. While the PC government brought in Ontario's first-ever brownfield legislation to encourage redevelopment of aging buildings and to bolster reinvestment in our city cores, more must be done to ensure that growth that continues to push into rural Ontario is held in check.

I think of the Smart Growth initiative of the former PC government, and to give credit as well to this particular bill, Bill 135, the Greenbelt Act, 2004—not to be confused with Bill 27, the Greenbelt Protection Act, 2003. The Smart Growth initiative, coupled in part with the brownfield legislation brought in by the previous government and this proposal, have considerable merit to battle urban sprawl. As urban areas continue to reach into so much of rural Ontario, instant communities continue to spring up on not only vital farmland but forested areas, on marshland, on so much of Ontario that is still viable with respect to wildlife habitats, for example. Regrettably, vast sections are being paved over, are being contaminated to allow for, again, the larger commutes encouraged by this expanded sprawl. What's worrisome is that millions of new people are projected to arrive in the GTA and the Golden Horseshoe area over the next few decades.

As I've mentioned, the Greenbelt Act is one way this government is attempting to tackle the spreading problem. The legislation did create a greenbelt study area—Oak Ridges; Niagara, including the tender fruit lands—and established a moratorium temporarily, and I stress that, preventing new urban usage. The goals of the greenbelt legislation seem laudable; however, as we've been hearing in the hours of debate, there are growing concerns that while preventing sprawl into rural areas, this legislation freezes farmers out of the planning decisions on their own land. And that goes for other private landowners in the catchment area.

Farmers are already in a situation where they see their present-day opportunities being threatened on the economic front, whether it's the ever-increasing cost of energy, obviously the BSE crisis with our cattlemen, uncertain weather that leads to poor growing conditions, and, as someone who derives part of my income from soybeans—soybeans today are half the price they were last spring; grain corn is now half the price that it was last spring. And now, this government in effect is



offering a proposal to our farmers to freeze their assets without compensation. What kind of an opportunity is that for farm families in Ontario?

The issue in many quarters of the agricultural community is the perception of a lack of adequate government support and, worse yet, the perception with many that the direction of this legislation is raising the spectre of government intrusion on their land.

If the government decides to tie the hands of farmers through this legislation, surely there must be compensation. For that reason, I join with the OFA, the Ontario Federation of Agriculture, requesting compensation for any loss of farmers' equity and demanding a clear statement from this government that the long-term viability of farm operations is assured—we know there's no guarantee, certainly, in the business of farming, but that there's an assurance—that future generations would be left with the confidence to continue to stick with it.

It's in this context that I wish to highlight a program. We were discussing this just now. It's an ambitious program. It's a farmer-driven program. It's a conservation program. There's a pilot project being launched in Norfolk county in my riding. The pilot project is essentially to test the waters with respect to a program. The short term is ALUS, which stands for alternate land use services. It's a program that has been jump-started really by our local Norfolk Federation of Agriculture and also our Norfolk Land Stewardship Council and that not only protects but enhances natural areas and further encourages an environmental partnership between farmers and people in town. It's a partnership that includes all stakeholders: government, of course, is key; landowners, as I mentioned—in this case, farmers; and it is a partnership fully tied in with conservationists.

In contrast, while in this greenbelt legislation, from what I see, the primary focus is to freeze development, the ALUS program goes many steps further with respect to encouraging the planting of trees, for example. I'm not sure if this legislation will result in any trees being planted. The ALUS program is designed to enhance wildlife habitat, to encourage a farmer—and I've done it myself. When you have a dry spring, you're working up ground, some cattails have come up in one corner of the field, which is a natural occurrence. Invariably, you make that decision and you disc them under. That gives you an extra bit of area to put in beans or corn. I will admit that, myself and our family, over the years, as we transferred from livestock to cash crop, took out an awful lot of fencerows on many, many acres. You take out a fence-row, you get another eight or 16 rows of corn.

1530

Coupled with that, and with respect to our land, over the years we've also had the opportunity to put probably 150 acres back into trees as well to try and compensate for our approach to using the land that we have been blessed to own for a number of years. Again, not only protecting what we already have but enhancing what could be very simply boils down to planting trees, setting aside land, allowing those cattails to come up, setting

aside land for grassland. There's tremendous potential for a continued expansion of prairie grass habitat on the Norfolk sand plain to the south of here. Again, how can this be done? All of this lies on the principle of the public paying for environmental benefits that they, as society at large, would derive from private farmland. So we have a present government considering the Greenbelt Act as a remedy for urban sprawl.

I wish to introduce into the mix—and I have mentioned this ALUS program before, this ambitious, farmer-driven program. It came out of Manitoba originally. It's something to consider as some of these ideas take shape, not only in this designated greenbelt area but elsewhere in Ontario, elsewhere in Canada. Again, instead of simply freezing development without compensation, as the Greenbelt Act proposes, the ALUS program encourages the planting of trees, setting aside prairie grassland, marshland, wildlife habitat—all of those good things—all the while with public money paying for the environmental benefits that society at large would accrue.

Good stewardship of the environment is not only a personal responsibility. Again, this is one of the principles behind the ALUS program. It's not only a personal responsibility, it is a public value. Don't put all of this on the shoulders of the private landowner or the farmer. It's a value—this is how it would work—based on payments to farmers for rendering ecological services that provide environmental benefit to society. Again, some options: property tax credits or conservation agreements. There have been some precedents in the past.

By paying for ecological services, a market develops. A market is created for public resources—in this case, land. We've seen there's a market, certainly, that can be developed—and has been developed for air emission trading, for example—a market for society in the province of Ontario to continue to develop and to go beyond continually destroying wildlife habitat, for example.

At present, no markets exist, obviously, for public resources on private lands. Farmers are essentially forced to maximize production, as I indicated. When push comes to shove, you do take out that fencerow, if you're a cash-cropper. You do work up that marshland. If it's dry enough, it gives you, again, that additional acreage to grow your crop. Again, farmers are forced to maximize production—albeit, on occasion, through government-subsidized initiatives—from private resources, not only corn and soybeans—I'm perhaps suggesting my bias with what we're into now—but other crops and livestock.

The ALUS concept, as I mentioned, came out of Manitoba, the Keystone Agricultural Producers—I understand that would essentially be the counterpart of our Ontario Federation of Agriculture—in partnership with a group, the Delta Waterfowl Foundation—I think the core group would be duck hunters.

These kinds of farmer-friendly conservation programs and the pilot project that is being launched in Norfolk county are being considered not only in Manitoba but also here in Ontario, as I mentioned. I know one of the forums on this farmer conservation program was attended



by the Minister of Agriculture for Prince Edward Island. Both Saskatchewan and Alberta expressed interest as well.

Again, the pilot project is getting a lot of local support: 39 different organizations have put their logo on the proposal, 50 are now participating in the development, and 10 organizations have shelled out well over \$39,000 for a benchmark survey.

The MNR—I'm happy to see this—is continuing to fund the pilot project at a level of about \$20,000 a year. This was something initiated in 2003 by the previous government.

Also through the Canada-Ontario agreement, a further \$35,000 has been committed over the next three years for what is essentially a habitat restoration project, something that will result in trees actually being planted, prairie grass actually being planted where needed and marshland actually being developed. In other words, we would have the real evidence of a greenbelt. It's a very proactive, ambitious and action-oriented program, in contrast to some of the more passive aspects of this greenbelt concept, which relies on freezing assets and, I assume, just hoping the trees come up on their own without anybody putting a seedling in the ground.

I appreciate the opportunity to talk about this in the Legislature. I do wish to continue to focus on some of the advantages of this program. I think what's most important, and I hear this in many of these greenbelt legislation meetings that are being held, is that farmers have the feeling they are being presented with a fait accompli. They're being told what to do. They seem to be—including the OFA, in part—in a reactive mode. This program repositions the farmer's role with respect to the environment from reactive to proactive. It gives the farmer more control with respect to the ever-growing environmental agenda.

ALUS is seen as reducing government reliance and public reliance on regulations and legislation such as this, as well as converting environmental risk into a business opportunity for farmers. Developing a predictable revenue stream for our farmers, again, has a direct benefit for not only rural communities but urban communities that have developed in our rural areas.

I call on this government to look beyond the GTA, to look beyond the Golden Horseshoe, as the previous government has done with Ontario's Living Legacy, with the development of the Bruce Trail, going way back, the Niagara Escarpment concept—to go beyond. Take a look at a very interesting proposal, the NOAH project, which takes us beyond the GTA and beyond the Golden Horseshoe to the newly created Kawartha Highlands Signature Site, and swings around to the east and south to the Adirondacks.

Just to wrap up, we ask this government to think beyond this designated green swatch on the map and to take a serious look at some of the perhaps unanticipated consequences. I think of leapfrogging, which is inherent in this kind of development freezing. Take a look at a much broader, province-wide conservation program, and

at a much broader, province-wide compensation program that will not only continue to protect but will enhance Ontario's natural areas, and will ensure we leave a legacy for our grandchildren and the next seven generations after that.

1540

**The Deputy Speaker:** Questions and comments?

**Ms Andrea Horwath (Hamilton East):** It's my pleasure to rise and make some comments on the debate by the member from Haldimand-Norfolk-Brant. I think the member gave some really specific and clear examples of where the legislation is going to do some positive things, as well as of where he thinks there needs to be some improvement. I similarly have comments that will be in the same vein.

As you've heard already through this debate thus far, it has been very clear that many members of this Legislature are supportive, overall, of the direction Bill 135 takes. However, depending on one's own experiences and one's own perspectives, there are some things that many people believe can be added and/or adjusted to increase the value of this legislation.

A little later on this evening I will be discussing some of those issues particular to the city of Hamilton, from where I hail. Like so many other wonderful communities in this province, the city of Hamilton has wonderful, natural areas that are right on its doorstep, like the Bruce Trail, the Niagara Escarpment and so many other wonderful assets that really need to be protected over time.

With this legislation, we can start moving in that general direction. There are still some major concerns around some areas of the tender fruit belt, particularly, and some concerns about increased quarrying, aggregate extraction, that might be happening in our community in particular, as well as a really needed look at what's happening in the farming industry overall and how we not only outline where farmlands will be, but how we continue to make them productive over time for our farmers and communities.

**Mr Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate on Bill 135. I have to say that of all the issues I've dealt with in my 18 years on local council in the town of Oakville and the region of Halton, no issue has touched the nerve of the community the way planning issues have. In the past decade, the issue of green space preservation has become one that is first and foremost in the minds of people in my community.

I had the privilege of chairing a meeting on the greenbelt in Oakville last week. It was very well attended. I don't know the exact number, but I think there were close to 400 people there. It was important that I was able to not only chair a meeting on green space preservation and the greenbelt strategy, but previous to that we had been able to make a tremendous announcement in my community on a \$1-billion investment by Ford of Canada.

So I think we're trying to prove to people that these two issues are not mutually exclusive, that you can have economic growth and population growth, and that you



can do it in an environmentally responsible way. That's what I think is at the heart of the greenbelt issue.

We know that four million more people are going to move to the greater Toronto area within the next period of time. There's no secret to that. It's a wonderful place to live. People are attracted to this community. People are attracted to this area from around the world and around the country.

What I heard the other night was that environmentalists simply love the greenbelt strategy. It's something they want to see pass. Ordinary people love this strategy. I get stopped on the streets now and I get complimented for this strategy that we're proposing be adopted by the government.

There are some agricultural concerns that need to be addressed. Those seem to me to be issues of farm viability, and we need to address them as a government in some way. But what most people are saying to me is that finally we have a Premier who is able to treat the issue of green space preservation and a greenbelt strategy with the importance and the priority it deserves in an economic area such as the GTA.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'm pleased to speak today in response to my colleague from Haldimand-Norfolk-Brant, who is a farmer and who, I think, eloquently put in real terms what it does mean to farmers.

Will trees be planted? He mentioned an alternative pilot project, ALUS, which is farmer-driven. I think that sounds like a great program. We should have more farmer-driven programs.

Have all the farmers been able to understand what's going to happen with the greenbelt area? I don't think so. We're having public hearings as we speak. This legislation is being pushed through. Have we been able to think of what the full ramifications are? Farmers are good stewards of the land. We should let them say their piece.

What are the boundaries going to be? Are the boundaries going to change? Mr Sorbara spoke to a municipality, and he said, "Well, some of the boundaries might change by the time the plan becomes legislation. The devil is in the details. We're going to have it. The question is where the line is drawn." Well, if the devil is in the details, then that's the right spot. We should all be concerned.

The Minister of Municipal Affairs and Housing said today that it's based on science. What science? Is it political science, or is it agricultural science?

Part of the greenbelt comes into my area of Brock township. They had gone to all the meetings, had eloquently stated their case of why Brock township should be excluded. They were not listened to at all. Are they going to have another chance? They only have one meeting to appear before. How are they going to have more growth? It's predominantly residential revenues that they get their income from, not commercial. They had development plans existing. What is going to happen to them? Will they be given a chance? Will they be able to expand their boundaries?

I hope there are going to be changes in the greenbelt legislation, and I look forward to further debate.

**Mr Brad Duguid (Scarborough Centre):** I'm delighted to spend a couple of minutes to talk about the greenbelt. I think I'll have an opportunity later on in the debate to join in with a little more time.

This is a ground-breaking initiative, and it definitely is precedent-setting. I've had the opportunity to sit in on a number of the consultations so far, and I've got to tell you, this is getting very good reception from people right across the Golden Horseshoe, whether it be environmentalists or others. I think the average person in our communities really appreciates what we're doing here and recognizes how important it is that we move on with creating this greenbelt across the Golden Horseshoe.

It will help us with our gridlock problem. That's on the mind of each and every one of our residents in the greater Golden Horseshoe. That helps residents and it helps us in terms of economics, making sure we can ship our goods in and out of Toronto and the regions around Toronto.

It helps us in preserving essential environmental lands. We need to preserve these lands. Without this kind of initiative, we can't guarantee that we'll be able to do that.

It helps us in ensuring the quality of our water table. We all know how important that is to the sustainability of our quality of life in the Golden Horseshoe area. It helps us in terms of maintaining and preserving our air quality, something that a lot of people have concerns about.

It helps us as well in terms of preserving essential agricultural lands. We need to have a food supply that's located in fairly close proximity to where that supply is going to be marketed, to where the demand is located.

It's important in terms of curbing urban sprawl. It just doesn't make sense to be building infrastructure all over the province. It makes more sense to try to encourage development where that infrastructure is.

I'll be speaking further to this later on, but I appreciate the opportunity to spend a couple of minutes now.

1550

**The Deputy Speaker:** The member for Haldimand-Norfolk-Brant has two minutes to reply.

**Mr Barrett:** I appreciate the comments from the members from Hamilton East and Oakville. A number of years ago, I worked on the Bruce Trail overlooking your areas, right up on the escarpment. I think the city of Hamilton probably has one of the most beautiful geographic locations of any city anywhere. I compare it to Vancouver. There are some problems—too many people. I made mention of the leapfroppers coming south to Caledonia, and that has certainly some short-term economic advantages in our area, but as with Brantford, we wish to see a continued aggressive program of brown-field redevelopment in your beautiful cities.

The member for Oakville mentioned population growth. That's the bottom line. We have too many people. There's an estimate that by the year 2021 the GTA will have a population of six million people. I hate to be the bearer of bad tidings, but it doesn't matter how



many greenbelt plans and pieces of legislation come in now or in the future, and we look at some of the initiatives in the past, this greenbelt area, given the present trend, no matter what we do, no matter what every government does, is going to be covered with subdivisions regardless. It will be covered with people.

I appreciate the comments of the member from Haliburton-Victoria-Brock, a riding in a beautiful, beautiful part of Ontario, the Haliburton Highlands. They kept the farmers out; they didn't keep the loggers out. Again, as with so much of southern Ontario, we are one gigantic clear-cut. What beauty and open space that certainly remains in that particular riding, in my view, is in direct relationship to the sparse population.

**The Deputy Speaker:** Further debate.

**Ms Horwath:** It's certainly my pleasure to enter into the debate on Bill 135, the Greenbelt Act. I have to say that this legislation is really something that has been welcomed by many across the province. I know it has taken some great scrutiny by people in my community, and I'll be making some comments later on in my remarks about what some of the people in Hamilton have been saying about this particular piece of legislation. But I think it's clear—and it has been said many times during this debate—that overall there's a general sense of support for something to be happening in regard to protection of green space in the province. It's certainly something that has taken place in many other places, both across Canada and in other jurisdictions across the world, so it's time that we start putting our minds to this type of initiative.

What I have to say is that the legislation is an excellent first start, but really there are some things that need to be done, or that can possibly be done, to tweak it and improve it a bit. I hope that the opportunity we're taking as the third party, and certainly members of the opposition, some of the comments we're making, some of the recommendations we're making, both in debate at second reading but also in committee, are really taken to heart by the government. This is one of those bills that, when you're looking at a general overall positive response from people, province-wide and people sitting on both sides of this chamber, then it's incumbent upon the government to take seriously the really good work that people have been doing, to try to make some of those improvements and try to ensure that everybody is doing what's seen to be and what is a productive, positive critique for the purpose of bettering the legislation. I think that's what I'm hearing myself in this debate. I have to tell you, I'm actually quite enjoying this discussion thus far, what I've been able to hear personally and what I've seen in Hansards, because I think it's what is positive about government. It's something that we can actually hold our hats on collectively as productive action toward a positive end that we can all, hopefully, end up supporting when the final day comes for the final vote on this particular bill.

Having said that, what I'd like to do over the next couple of minutes is just highlight some of the areas

where I believe, and where we as a caucus believe, there can be some of that tweaking, where some of the details could be strengthened and/or adjusted to further make this bill effective and further make this legislation protect the greenbelt, areas of environmental sensitivity and areas of farming in this province.

First and foremost there's some concern that with the drawing of the greenbelt itself, it is going lead to all-out, massive pressure to have that 143,000 hectares of land developed, and developed quickly. That's a real concern and a real worry. I think anything that appears to be or seems to be or can be interpreted as signalling a broad and widespread race to urban sprawl, or can be seen to be encouraging a quick, massive urban sprawl type of behaviour, is not actually productive in a proper planning sense of the word "productivity." You really have to be careful about sending the wrong signal.

The greenbelt itself as well, as was mentioned by the previous debater on this, is something that—and again, I'll speak specifically to my community, because this has come up in my community. It's based on the issue of protection of farmland overall; again, something that we not only must ensure for Ontario but must do in a way that is going to identify specifically and in detail which lands are in fact productive, farmable lands and which lands are not. My understanding, certainly in the city of Hamilton, is that there are some areas that have been identified as farmland that the farmers are saying is simply not farmland, not really productive in terms of the growing of crops. However, there are other pieces that are not protected by the greenbelt that actually need to be.

Again, some of my previous colleagues on city council have spoken to me on this as recently as a meeting—Mr McMeekin and Ms Marsales were with me not too long ago at the board of education. One of our city councillors at that time indicated to me that there were some specific pieces of land that they felt needed to be added into the greenbelt to be protected. They'll probably both know Councillor David Mitchell, who represents an area on the Glanbrook portion of the city. I would urge them to talk to Mr Mitchell and to then bring his concerns to their minister in regard to his particular concern about the areas that should be added in, which are extremely fertile and positive farmland, that currently are not covered by the greenbelt. Again, it's this local knowledge of what's happening on the ground—no pun intended—that really needs to be added in when we're tweaking the boundary. To make sure we don't miss out on the protection of some really significant farmland in Ontario.

One of the other concerns, overall, that have been raised by other people in this debate—I know that our environment critic, in her lead, raised it as well—is the issue of the concern that aggregate extraction will continue unabated, that expansion of existing operations will be approved without a problem, that this legislation doesn't address the existing aggregate extraction industries, in terms of trying to put some parameters on the expansion, as well as, quite frankly, new aggregate extraction operations being developed within the pro-



tected greenbelt area or within at least greenfield areas within the greenbelt. We have to ask why that was left out, and we have to start to wonder whether that's one of those places where we can get some further oversights and further review to see if there isn't something that can be done to address the fear—or maybe not the fear; maybe that's the wrong word—but the concern that the aggregate operations are not going to be appropriately maintained in the time frame of this legislation.

1600

There's also some concern about what happens to small settlement areas within the greenbelt plan—quite frankly, having frozen boundaries is one thing, but making sure that those communities are given the supports they need to provide infill, to intensify their communities, to provide all of the infrastructure that's required in intensification programs.

I can tell you, as someone who represents an urban area that has gone through a history of intensification efforts and is now similarly looking, in the city of Hamilton, at how we are going to grow over the future: We're doing a program right now called GRIDS, which is the Growth Related Integrated Development Strategy, for the city of Hamilton. It includes all kinds of planning documents, all kinds of studies, all kinds of analyses about future growth and future needs and all those kinds of things. One of the pieces that has come up in that process that, in fact, has come up many times in the city of Hamilton's planning processes around urban boundary expansions and those kinds of things, is the idea of intensification.

If you look at the city and you look at some of the areas that are already serviced—that already have transportation, that already have soft infrastructure like schools and churches and libraries and places like that, that already have all of the things you need to have communities that are sustainable and that are well-related to their environment and utilizing their environment to the maximum—you'll see that there are several parcels of land, there are several areas, there are huge swaths of the city of Hamilton, that have all these assets, and yet there is no development on them. They're either vacant parking lots, or in some cases they are brownfield sites, or they are warehousing or industrial-commercial—all kinds of different configurations of parcels of land that have everything they need to be productively reused in terms of intensification, yet they are not being reused.

A big part of the problem to that reuse or that new use of these old lands that already have all the services there is that there's been a lack of real attention by governments on how we fix the problems. Let's identify and fix the problems that we've identified in regard to barriers to infill development. I know we all talk about infill development and how very wonderful it is, but I really don't think that we've found enough tools, or that we've provided enough tools, or that we've done enough work to identify the tools that are necessary to really have successful infill development and infill projects, and that's for a city of the size of Hamilton.

Also, I think it relates very clearly to some of the smaller communities whose boundaries will be made permanent and made restricted by the legislation. Again, I don't necessarily think that's a bad thing, but what I think we need to do is make sure that, then, we give these places the tools to ensure that the infrastructure they need to grow in a sustainable and progressive environmental way are provided.

I think there is some issue or some concern around the fact that there's a lack of public accountability overall. It seems to me—and I'm going to find the specific note on that issue—that there's a need to have an advisory council established by the Greenbelt Act. What the act needs to state is that the government shall establish the Greenbelt Advisory Council—not “may” establish, but “shall” establish. That council needs to be mandated to develop and submit annual reports, because you know what? We really don't know how we're doing when we put new pieces of legislation in place. We won't know how well they're accomplishing the goals that they've set out to accomplish if we're not, in fact, monitoring how well we're doing. This is something that's absolutely necessary; not only the progress, but also any problems that might come up. As has been debated and discussed many times in this debate, it's legislation that we overall support. We're hoping, on this side, that the government will see fit to provide some amendments and some changes. However, if at the end of the day we do end up with legislation, which we will, we need to make sure we have the measurement tools in place: not only what they look like, but what they're going to measure, and then who's going to be monitoring to make sure these indices are reviewed and that proper amendments and proper problem-solving are done as the years go by with this particular legislation.

I'm running out of time already; I'm surprised how fast this is going by.

You might know that some work has been done in previous years in terms of a greenbelt, in terms of the protection of lands in areas surrounding Hamilton, particularly around the Niagara tender fruit belt. In the 1990s, in fact, the NDP government at the time introduced the Niagara tender fruits program, and it protected specialty croplands in the Niagara region. Mr Hudak's not here, but I'm sure he would agree that there are significant amounts of land that provide—well, several of you were at the reception for the Ontario wine growers, so you'll know how important the tender fruit belt is, and not only for wine.

Ms Mossop will know that the Peach Festival that happens in her riding every year is an important cultural festival. It celebrates the farming community, the tender fruit community and the fact that people still make a living off the land, and provides opportunities to celebrate the crops they grow and the many things that can happen with those crops. At the Peach Festival, you get everything from peach sundaes to peach jam and those kinds of things. Again, it's not only the products themselves, the fruits themselves, but the entire culture of a



community that we have to make sure we're protecting and preserving, no pun intended—preserving, jam—in the province of Ontario and in areas like the tender fruit belt in the city of Hamilton.

I asked specifically for some comments from people in my community about this legislation, because I know there have been some public meetings, which we appreciated very much, not only on this legislation but on some other legislation around the Planning Act. People who represent anywhere near Hamilton know that there are many vocal activists on environmental issues and planning issues, and there is a lot of dire concern in our community about how the government is going to move forward on many of these initiatives.

One of the things that people are really concerned about in the city of Hamilton—Mr Jackson, who is from the city of Burlington, is not here, but his city has concerns too. A specific group of people have major concerns around the greenbelt legislation and how we deal with the mid-peninsula highway, if and when it comes. Again, it speaks to the first point I made around whether we'll see a vast rush of urban sprawl out to the edges.

Certainly, if and when that mid-peninsula highway is built, it'll be built on the edges of the greenbelt, as is my understanding in looking at the maps. Many of the people from our environmental communities are concerned that urban sprawl is just going to pick up speed like there's no tomorrow and we'll end up in situations where we've got sprawl upon sprawl and further and further erosion of our built-up urban area, which we already have some problems with at this point in time.

I spoke about one of the previous city councillors I served with, who was mentioning issues around agricultural land that has not been included. The notes I brought specifically describe it as agricultural land south of Rymal Road. It has been excluded from the greenbelt, and they're concerned in my community that this is for more sprawl development.

The reality is, though, when you look at the maps and determine what amount of land that is, it's about 40% of the size of the current urban area of Hamilton. So we're looking at about 30 to 40 years of growth land. If that 30 to 40 years of growth land is just allowed to expand with this legislation, then we have some serious problems.

People who know our city will also know that we have real infrastructure challenges in Hamilton. So we know there's a major highway project going in, but what we also know is that there are some real challenges the city has in its ability to afford some of the other infrastructure costs of that roadway, and in terms of how we're going to have the capacity to even deal with the sprawl the roadway will bring, let alone the sprawl that may, and again I say "may," result from some of this legislation. I've made some commitments around making sure that these issues are raised because they're important to people in my community.

1610

There is some concern about the Pleasant View rural area in Dundas. Mr McMeekin might have something to

say about that. There was some concern that it was excluded from the greenbelt. I don't think I will expand on that. I'm sure he knows more about it than I do. My understanding is that there had been an OMB decision in the 1990s that was won by citizens of that community in regard to that area. From what I'm hearing, it looks like that might be included in terms of being allowed to be developed. There are some concerns about that in the environmental community in Hamilton.

There are many other examples. In fact, environmentalists in my community are talking about Durham region. They're talking about many of the other issues around leapfrog development, and around our airport and other issues in that regard. I think it's important to note in this forum that, overall, the environmental community in Hamilton thinks the idea of the greenbelt legislation is a positive idea, and again, I'm only speaking for the few; I certainly wouldn't want to speak for all the people who are active on environmental issues in Hamilton. They want the province to be involved in the planning process once again, but they want the provincial government to take a serious look at the specific issues they raise.

I can provide my notes to others here or to Hamilton members if they're interested. They are really pleased about areas in Winona-Stoney Creek that are going to be protected. They just want to make sure there's a real look at how we're going to not only protect agricultural land, but support it in order to make it thrive over the long haul, particularly with the tender fruit belt area. That is the end of my opportunity. I really did enjoy debating this bill.

**The Deputy Speaker:** Questions and comments?

**Mr Tim Peterson (Mississauga South):** It is with great pleasure that I stand to endorse this bill. In Canada, we have traditionally thought that three of our great natural resources are our vast farmlands, our forests and our great mineral wealth. But today I would like to add a fourth, and that is the phenomenal amount of great green space we have in Canada.

In my business life, I have visited Japan and I have seen how 60 million people live on an island the size of Nova Scotia, and the degradation of the open space so that at cherry blossom time, which is a very fascinating and well-renowned Japanese festival, over 100,000 people will have to visit one acre of cherry blossoms and view 10 or 12 trees. I've also visited India, with a population now approaching one billion people, where the Bengal tiger has lost its grasslands to erosion because people there have not planned the proper vast green space. So is it not time that we in Canada control development on our prime areas?

I have been very pleased to be appointed by Mr Bradley, Minister of Tourism and Recreation, to head up a trails policy for Ontario. To me, that will be the planning of green space linked to green space linked to green space, so that we can have and protect the great expanse of space we have in Canada. As one of the largest countries in the world with one of the smallest populations, this is one of our great natural resources.



When I was down in Austin, Texas, just a month ago reviewing trails policy in the United States, they also found that where they had proper planning of trails and green space, they had lower rates of crime and an increase in property values. So those who would argue that this will be a punitive bill have not got it right.

It was a great pleasure to speak to this.

**Mr Gerry Martiniuk (Cambridge):** Speaking to the greenbelt bill, I don't think anyone could argue that greenbelt areas won't result in enhanced quality of living for many residents. I remember driving outside of London in the UK and hitting a greenbelt area, and the impression it made on me.

However, this bill neglects to address a number of serious issues. There's no agricultural plan. The tax base in all the greenbelt municipalities will be frozen. More seriously, there's no transportation plan. How are people to pass through this greenbelt? It means people living further away, especially to go to work in downtown Toronto. And of course housing prices, which have increased rapidly during the last few years, will increase once more in many of the greenbelt centres and cause a problem for young couples seeking to raise a family and wishing to own their own house.

My biggest problem with this particular bill is the lack of regard for our agricultural community. In effect, what has happened is that the savings of many of the farmers within the greenbelt area will be transferred or lost. When I say "transferred," the benefit will be transferred to other residents. But for those individuals who own farms in the greenbelt area, the money that their farms would have brought outside the greenbelt area will, of course, be lost. It may be part of their savings plan in life; it probably is. I think that is a fatal defect in this bill.

**Mr Bisson:** I want to congratulate my colleague the member from Hamilton East. She made a number of points. I thought she presented well, as other members in this debate have as well. She raised a couple of points that I think are worth consideration.

One is the whole concept of the government, once they've introduced legislation, being willing and prepared to deal with opposition amendments when those amendments come forward. I think that's something we've all experienced. Members who were here in the last Parliament on the government side would know how frustrated we were when the Tories wouldn't accept our amendments, and I'm sure people were frustrated with us. Such is the case. But I think at one point we need to stop the sort of downward spiral that's been created in this place over the years about how this place sometimes doesn't bring out the best ideas when it comes to how you develop legislation.

I would hope the government, when they go to committee, will take heed of the comments that were made by the member for Hamilton East that if amendments come forward that are reasoned, that make some sense, that are going in the direction the government wants to go—I can understand if it's an amendment that's completely, diametrically opposed to what the government is doing. I

wouldn't expect the government to pass it. On the other hand, if there's an amendment they are supportive of, let's not play the old game that's been done around here, which is: "I'm not going to support the opposition member's amendment. Instead I'll bring in my own, because my amendment is better than yours." I would ask you to work with opposition critics in order to build the kind of partnership that we need to in this House to make legislation work better.

At the end of the day, the only people who will really benefit out of that are the people we are here to represent: the taxpayers of the province of Ontario and all the citizens out there who want to see this Legislature work. They want to make sure that at the end of the day, all members here are working and putting their best foot forward in order to represent the views of the people we represent and also to make better legislation.

I want to again thank my colleague the member from Hamilton East for having raised that, and I think it's a point that the government should take seriously.

**Mr Shafiq Qaadri (Etobicoke North):** It's a privilege to rise to support Bill 135, the Greenbelt Protection Act, which is the result of not only inspired leadership but also wide and deep consultation.

I wonder, with your permission, Speaker, if I might just offer a quick medical observation. Have you ever wondered about the colour green; why, for example, surgical gowns, drapes, masks and so on are the colour green? It is the colour of nature, and there's something about the colour green that makes the human body respond in such a way that it feels soothed, refreshed, sustained and detoxified.

It's specifically this bill, the Greenbelt Protection Act, that seeks to implement that same concept on a much wider basis. It seeks to strategically and intelligently allow growth, control sprawl, foster prosperity in both urban and rural settings, preserve our precious resources, such as croplands and, in particular, leave a vital heritage for generations to come.

**1620**

Why? The demographic trends tell us that four million individuals are going to come to live within the Golden Horseshoe. This initiative seeks to actually preserve almost two million acres. This is on par with some of the great national parks programs of the United States, and this makes sense on multiple levels. For example, just with regard to air quality, things like asthma, or, today, on World COPD Day: Untold benefits—economic, health, medical, social and so on—will accrue to the province of Ontario and its people with an initiative of this kind.

To conclude, I quote Greenpeace: "Take care of the earth. A good planet is hard to find." Bill 135, the Greenbelt Act, seeks to do precisely that.

**The Deputy Speaker:** The member for Hamilton East has two minutes to reply.

**Ms Horwath:** I want to thank the members from Mississauga South, Cambridge, Timmins-James Bay and Etobicoke North for their comments. I was happy to hear



that particularly my colleague from Timmins-James Bay heard what I was trying to get at in the initial parts of my discussion, when I was talking about how we find ways—not to arrogantly say we've overturned every stone, we've talked to every single person and we know that this is completely, 100% right, but rather in the spirit of understanding that everybody in this Legislature is looking toward moving in this direction, that there may be one stone—or two—that hasn't been overturned and hasn't been looked underneath, or one or two areas of the province where perhaps the line that was drawn doesn't quite include what we need it to include or perhaps includes something that it shouldn't include.

I think there are still opportunities for some of those changes, as well as one of the things that I think is extremely important, and that is making sure there is a strong way that we as a society, as the people of Ontario, can make sure we have an act or a piece of legislation that is going to be reviewed on a continuous basis, year after year, where there is real oversight as to what it's accomplishing, as well as a real commitment to making the adjustments that need to be made so that it never becomes obsolete but rather continues to grow and to take care of our green spaces and our green lands across Ontario.

Again, I want to thank all of those who have commented. I only want to close by saying that as a caucus you will have heard that, generally and overall, we support the direction of this bill but we look forward to a few amendments that hopefully will come.

**The Deputy Speaker:** Further debate.

**Mrs Liz Sandals (Guelph-Wellington):** I will be sharing my time with the member from Thornhill.

I'm very pleased to stand today in support of the Greenbelt Act. We need to start with the observation that by the year 2031 there will be an additional four million people in the greater Golden Horseshoe area, which means that simply as a province we have a choice: We can keep on paving or we can start planning. Our government has chosen the second model. We need to do some serious planning about what is going to happen in this province as we face this tremendous growth over the next 30 years.

Bill 135 would authorize the establishment of a greenbelt area in the Golden Horseshoe and a greenbelt plan retroactive to December 16, 2004. The greenbelt area would encompass those lands covered by the Oak Ridges moraine conservation plan, the Niagara Escarpment plan, and add protected countryside lands, including the Niagara tender fruit and grape lands, the Holland Marsh and other prime agricultural and rural areas. The act, if passed, means permanent protection for a greenbelt proposed to extend about 325 kilometres from the eastern edge of the Oak Ridges moraine near Rice Lake in the east to the Niagara River in the west.

Now, I must admit that one of the concerns I have heard is that, when you think about this huge greenbelt encompassing the GTA and the Niagara area, a number of people are concerned that in fact what will happen is that development will simply leapfrog the greenbelt.

My riding is Guelph-Wellington and the greenbelt just touches the southern fringe of my riding. A little bit of the south end of Puslinch is in the greenbelt, because that's where the headwaters of some of the rivers that feed into the greenbelt are. So there's a little bit of my riding in the greenbelt, which is fine. But then the rest of my riding, particularly in the Guelph area, is just outside the greenbelt, and people are concerned about what will happen if growth simply leapfrogs the greenbelt.

What I want to share with people today is that on the day the greenbelt protection act, Bill 135, was tabled, there was a companion act tabled. The Minister of Public Infrastructure Renewal introduced Bill 136, which is the Places to Grow Act. This proposed legislation is a companion piece. It follows closely on the heels of the discussion paper on the government's plan for growth in the greater Golden Horseshoe; in other words, for the lands outside the greenbelt.

The discussion paper *Places to Grow: Better Choices, Brighter Future* outlines a vision and proposed strategies for where and how the greater Golden Horseshoe should be growing. This vision includes municipal and provincial decisions on such issues as urban development and land use planning, capital investment planning, housing, transportation, environmental protection, infrastructure and economic development. In other words, we're looking at where do the roads go, where does the public infrastructure go, where will growth go, and where will growth not go, just as importantly, because as part of that greater Golden Horseshoe plan, we are looking very carefully at what water resources, what natural areas and what agricultural areas need protection.

So I want to assure my constituents that what we're doing here when we talk about the greenbelt is not self-contained, that in fact the government agrees with your concerns and is already planning for the companion piece, which is, how do we manage growth outside the greenbelt?

I'm very pleased to report that we are thinking forward, and that as these two acts come forward together, we are going to be able to plan for the whole package of how this area continues to grow over the next 30 years, because one of the facts of life is, if we're going to have four million more people, everybody has to live somewhere. We're not ducking that responsibility. We're taking on the responsibility as to how we protect our natural environment, our natural resources for future generations, but also as to how we plan in a responsible way for the growth we know is coming.

**Mr Mario G. Racco (Thornhill):** On October 28, the Premier outlined the government's vision for permanent greenbelt protection and growth planning in the Golden Horseshoe. We are moving forward with protecting green space in the Golden Horseshoe, preserving Ontario's natural heritage and curbing sprawl. This is a good thing for Ontarians who live and work in these communities today and for generations to come.

As Minister Gerretsen has noted, the Golden Horseshoe is one of the fastest-growing regions in North



America. The Golden Horseshoe growth in the next 25 to 30 years will add two million more jobs and create new strength in our economy, and add four million more people in the area. The greenbelt area will encompass those lands covered by the Oak Ridges moraine conservation plan, the Niagara Escarpment plan, and add protected countryside lands including the Niagara tender fruit and grape lands, the Holland Marsh, and other prime agricultural and rural areas. The total greenbelt we are proposing to create will protect more than 1.8 million acres of land. The act, when passed, means permanent protection for a greenbelt proposed to extend about 325 kilometres from the eastern end of the Oak Ridges moraine, near Rice Lake in the east, to the Niagara River in the west.

1630

There is another side to the quality of life in the Golden Horseshoe, another side to making sure greenbelt protection works. My colleague the Minister of Public Infrastructure Renewal recently introduced Bill 136, the proposed Places to Grow Act, 2004. The proposed legislation follows closely on the heels of the discussion paper on the government's plan for growth and economic expansion in the greater Golden Horseshoe. The discussion paper, *Places to Grow: Better Choices, Brighter Future*, outlines a vision and proposed strategies for where and how the Golden Horseshoe should be growing. This vision includes municipal and provincial decisions on such issues as urban development and land use planning, capital investment planning, housing, transportation, environmental protection, infrastructure and economic development.

The proposed greenbelt plan identifies where growth cannot take place but allows room for growth if and when the local government chooses to do so. A growth plan will indicate where and how that growth will take place. It will chart a course of safeguarding the quality of life in the Golden Horseshoe and ensure that the greenbelt does what we intend it to do: stop sprawl.

Our government's goals are ambitions, and this is a good thing—something that the people of Concord and Thornhill have been waiting for, for years. We are planning beyond today, beyond our mandate. We want to ensure that as Ontario strengthens, grows, builds and develops, this growth will always be balanced with care for and preservation of green space. We want to ensure that as more and more people settle in central Ontario, there will be simultaneous protection of our natural resources, watersheds, ecosystems and agricultural and rural lands.

The draft greenbelt plan would strike a balance between protecting our green spaces and meeting the needs of growing communities. For example, as we have included provisions to protect the environment, we also want to ensure protection for the province's specialty croplands, such as the Holland Marsh and the Niagara tender fruit and grape lands, where the most productive farmland is located.

The draft plan supports a range of opportunities for tourism, sports and recreation. People from all over the

world come to Ontario to enjoy open space, nature, fishing and many outdoor sports. This legislation supports all that. It would establish a system of parklands, open spaces, water bodies and trails.

The proposed greenbelt is being developed so that it protects a natural system and agricultural lands, while allowing room for urban areas outside of the greenbelt to accommodate long-term, properly planned—by the people—growth.

Urban areas currently designated within the proposed greenbelt plan would remain available for urban development and would be subject to the normal municipal planning processes. This would provide certainty by identifying where growth can or cannot go and would end the continuous speculative land-value increase of agricultural lands in the proposed greenbelt, which ultimately increases the cost of housing. Infrastructure that supports growth would be allowed, but subject to strict criteria to avoid damage to the environment and to ensure that all practical alternatives have been considered.

As the member for the riding of Thornhill, I attended a public meeting last week, along with my colleagues from Markham and Scarborough Centre and staff from the Ministry of Municipal Affairs and Housing, to find out what local community members from the region of York think of the draft greenbelt plan. It was a great opportunity for them to participate in the democratic process of being engaged in an important issue that affects all of us and future generations to come. I am very happy with the comments I heard at the meeting. They were all positive comments.

Thornhillers believe that when this legislation is passed Ontario will thank the government for taking advantage of an opportunity to preserve the green space we love, the air we breathe, the water we drink and the food we eat. On behalf of the people of Concord and Thornhill, thank you for the opportunity to speak on this very important issue today.

**The Deputy Speaker:** Questions and comments?

**Ms Horwath:** It's my pleasure to rise to comment on the speeches by the member from Guelph-Wellington and the member from Thornhill. Again you'll see that the debate has been a positive one, and one that allows members to provide insights and information about their particular communities in their particular ridings. I think that's a very important part of the process.

I do have to say that I believe there are still some opportunities in that regard, that as we listen to and hear from people in their own communities, there are likely some opportunities for some tweaking of this legislation, for some small amendments to be made. There is certainly an overall sense that it's the right direction in which we should be heading but that, in fact, some real attempts to look at the issues raised by individual members of this Legislature as they represent their individual ridings would be a positive move, as well as looking at some of the recommendations or suggestions that have been made during this debate in regard to more



overall amendments that could be made, particularly in regard—and I'll say it again—to reviewing what's happening on an annual basis to ensure that the oversight committee is established and that it is given clear mandates as to what it needs to look at. It needs to set some serious and specific targets and some serious indicators that it can then review on an annual basis, which will then, of course, lead to an ongoing improvement, an ongoing debate about not only the effectiveness of the current legislation or the current bill once it becomes legislation, but also about how we ensure that, as time moves on and as we look at how it's being implemented and how it's affecting the preservation of green space in Ontario, it continues to be improved over time.

**Hon Jim Watson (Minister of Consumer and Business Services):** I just wanted to spend my two minutes bragging a little bit about a greenbelt we already have in Ontario and why I'm very pleased to support this piece of forward-thinking legislation.

The greenbelt located in and around the city of Ottawa is something that we're very proud of in the nation's capital. It was a visionary called Mackenzie King who commissioned an architect named Jacques Gréber to put together a plan to help contain urban sprawl over 50 years ago.

The greenbelt is affectionately known in the Ottawa area as the emerald necklace. It surrounds the capital of our country and it's something that is partly in my riding of Ottawa West-Nepean, and it has worked well. It's one of the great strengths, I think, of that part of eastern Ontario.

One of the responsibilities I have as the Minister of Consumer and Business Services is the protection and promotion of the wine industry. I am so proud of the wine industry—people like Linda Franklin, the president of the wine council; Don Ziraldo—I think most people who know the Canadian wine industry can trace it back to the vision and foresight of someone like Don Ziraldo, who was extremely supportive of this piece of legislation put forward by my colleague the Minister of Municipal Affairs and Housing.

This is a piece of legislation that is not thinking about the next election but is thinking about the next generation. When children and grandchildren of members of this House look back on some of the accomplishments of this government, they will be very proud that our Premier, our minister and our government, and those members who do support this, had the foresight to bring about a greenbelt in the area that we're talking about.

**Mr Barrett:** Under questions and comments, and listening to the presentations by the member from Guelph-Wellington and the member for Thornhill, who talked about attending one of the meetings—there was a meeting very recently, on Monday, November 8, in Markham. A large number of farmers from the GTA area attended this meeting. I did not attend. I understand that there was something in the order of 300 people who attended the meeting.

1640

It's important for all of us to realize, first of all, that 90% or 95% of the land in the GTA is privately owned. A very large percentage of the land in the greater Toronto area is owned by farmers—I know; I have a report from the meeting. The president of the York Region Federation of Agriculture, Terry O'Connor, attended the meeting. It was part of the input to the Ministry of Municipal Affairs and Housing.

What came up during that meeting were the concerns of farmers and agribusiness with respect to a taking, a loss of equity by being frozen in the agricultural zoning and, going hand in glove with any discussion of a loss of equity, a loss of value of the land and essentially the value of the farm business itself. This is repeated again and again: the need for compensation.

I think there was a call for land value monitoring to see how serious this is. Of course, the OFA wants further consideration of the Line Fences Act and the Trespass to Property Act for many of these changes.

**Mr John Wilkinson (Perth-Middlesex):** I also am happy to rise in support of Bill 135. I've been listening intently to the debate. I want to echo the comments of my friend from Ottawa West-Nepean, because it strikes me that there's a similar analogy in my home community of Stratford. What I want to talk about is the question of vision and legacy.

In our community of Stratford, where 600,000 people come for the festival, there is a wonderful park system. My understanding is that it has the greatest number of parkland per capita in the entire country. That was because of a forward-thinking man of 100 years ago, R. Thomas Orr. Stratford was a CNR town. The proposal was to run a railway right through the middle of town. That was just swampy land. This forward-thinker, R. Thomas Orr, decided no; that we would have a wonderful park system modelled on the parks they had in England.

The reason I bring that up is that that's what is infusing this bill. What infuses this bill is the question of legacy and vision. Years from now, I think all of us in this House will look back with pride on the fact that we debated this bill. There are some things we do in this House that are transitory. We do set laws that come and go, but there are some things that don't change. I think of those of us in this House who helped create the Niagara Escarpment. You think about those types of things, those lasting legacies, when you see the park system we have in this province. Ten, 20 or 30 years from now—not 10, 20 or 30 days from now—people will turn back, and our children and grandchildren will thank us for being part of this very important debate about the history of the growth of this province.

**The Deputy Speaker:** The member for Guelph-Wellington, you have two minutes to reply.

**Mrs Sandals:** I'd like to thank my colleagues from Thornhill, Hamilton East, Ottawa West-Nepean, Haldimand-Norfolk-Brant and Perth-Middlesex for their comments. We would like to thank the NDP, who have been quite supportive on this. It is certainly encouraging to hear that they recognize the value of what we're doing



here in setting up a greenbelt and are generally supportive of this initiative. So thank you for that.

We've heard from the Ottawa and Stratford areas that in fact we do have precedents, albeit on a somewhat smaller scale, and the tremendous impact they had on a community when forefathers in that community had the foresight to set aside a park system, a greenbelt system. I've visited Stratford many times and enjoyed wandering along the Avon River. One of the most fun winter afternoons I ever had was in Ottawa, where I sort of arm-wrestled some colleagues and dragged them off to go skating on the canal when we were out of a meeting a little bit early—it was much more fun skating than meeting.

Those are the sorts of systems that somebody had the foresight to set up long ago. We talk about the concern of preserving farmland, and inside the greenbelt are two very, very special areas: the Niagara tender fruit and grape growing land and the Holland Marsh vegetable growing area, which is very specialized soil. Those are things that can never be duplicated. If those lands are ever lost, if we allow people, particularly in the Niagara area, to pave any more of that land, for the most part Ontario loses its tender fruit growing, it loses its grape growing, it loses particular vegetable growing. That's not what we want. We're leaving a legacy with this legislation.

**The Deputy Speaker:** Further debate?

**Ms Scott:** I'm pleased to join again in the debate on Bill 135, the greenbelt initiative, certainly to tie in to what legacy we are leaving behind, and that we are debating this, although in a kind of hurried fashion; I'd certainly like to take a longer time to consult with the farmers in my area.

The Conservatives have supported the goal of addition of environmentally valuable land and to protect its status, and it goes back many years. But what comes to mind first of all is certainly Chris Hodgson and the Living legacy we have in my riding: the Kawartha Highlands Signature Site. Under the previous Conservative government, we brought 378 new parks and protected areas, a total of 23.4 million acres of land across the province. The Kawartha Highlands Signature Site, although it's just getting up and going, is 37,000 hectares. It will be the largest protected area in Ontario south of Algonquin Park. And I'm sure the present Liberal government is going to protect the Frost Centre and all the lands surrounding it. I look forward to further progress on the Frost Centre with the environmental sustainability this government has promised the people of Ontario.

The bill has a good goal, but it has some flaws. We have heard some of them here today. The four main weaknesses I have seen with the bill are: no agricultural plan; small towns will have a frozen tax base; no transportation strategy; house prices within the GTA will increase and those in selected hubs will increase around the area, and who is going to be able to afford to buy these?

There are a few other worries that I want to address quickly. The government, I believe, needs to bring for-

ward a plan to address some of these flaws, but is it possible to support the protection of the green space while opposing this particular piece of legislation, as my friend from Haldimand-Norfolk-Brant mentioned? The leapfrogging of development is really a strong possibility, and there is no indication of support from this government for the municipalities that will become the new targets for this development, and no efforts to protect the farmland there.

A large amount of the substance of the bill will be contained in regulations. The bill can give the minister the ability to issue minister's zoning orders which would allow for the changing of the land use designation for any parcel of land from protected to developed land. That provision has huge potential for abuse. At the very least, it could mean that the minister will have a lot of people attending his fundraising events. That gives a lot of power to the minister. In his comments Monday, "We're always open to good suggestions as to how we can make a proposed law a better law." I hope the members opposite will understand that the concerns I'm raising today are raised in that spirit. It should be non-partisan. We should be doing the best we can for our future, and this greenbelt legislation should be refined.

**1650**

My riding is partly made up of lands within the protected area and partly of lands outside that area—as I have mentioned many times, the impact the bill is going to have on the farmers who have land located within that greenbelt area.

I'm also concerned in a general way with the whole way the bill treats farmers. We need to protect farmland, as has been mentioned by many colleagues in the government, but I think we're going about it in entirely the wrong way. If you want to protect farmland and you want to make sure you have locally grown produce available in stores, you should do something to protect the farmers. You don't protect farmers by driving down the value of their land. As is said many times, if you want to save the farm, you have to save the farmer. A lot of farmers have spent their entire careers putting every spare cent back into their farms. They hold jobs, more commonly than we want to hear about, outside of the farm in order to make the farms viable. They don't put money into their retirement savings. Up until now, their retirement plan has been the farm.

We quote from the Toronto Star of November 8:

"Those inside the greenbelt fear their property values will plummet now that the government has closed the option of selling out to developers. Older farmers will lose their retirement plan; younger ones may find it more difficult to borrow money.

"The cost has to be borne by the whole society, not just the agricultural sector," says Ron Bonnet, president of the Ontario Federation of Agriculture."

Again, in order to save the farm, you have to save the farmer. When they go to the bank, as I've said, requesting a loan to allow them to plant crops, how will the banks react to the reduced collateral being put up?



You're decreasing the number of farmers in the area. You say you're going to protect farmers, but you've just told them they have second-class property rights. When your family home goes up in value and you sell it for a higher price than you paid for it, you're not a land speculator. I can tell you that farmers care about their land and care about providing for their families. You're stripping them of their right to provide for their own retirement, to provide for their families.

Farmers need our support now more than ever. The crises go on: the BSE crisis, the failure of the CAIS program so far to deliver the monies they need. It's a crisis. It just shouldn't be part of the usual support payments from the agriculturalists. This is a crisis. I know the provincial government and the federal government haven't dealt with it in that manner. The bottom line is that without farmers, the crops will not get planted and the livestock will not be kept.

The members opposite have to be hearing from their constituents about this problem, and I hear a couple of them have admitted that. Farmers, municipal leaders and taxpayers have to be telling you that there need to be changes in the greenbelt legislation. How are you going to ensure the future viability of farms? Show them you have a plan. We want farmland and green space to stay green, but the best way to do that is to make sure it's in the farmer's interest, in his or her economic interest. Agri-food business being the second biggest economic driver in Ontario, are we doing enough? Are we paying enough attention to them? I don't think so. We need to do a much better job. So you need an agricultural support plan before you bring this bill forward for the second reading vote.

The second part of the bill that concerns me is the impact it will have on small communities within the greenbelt area. Your plan has serious repercussions for small communities located within the greenbelt. As I've mentioned before, they could end up with frozen property tax bases in Brock township, which is affected in my area.

In an article in the newspaper, they had been consulted by the task force and they felt confident that Brock township would not be included, and all of a sudden, it is. They felt they were ignored in the consultation process: "1.8 million acres in an area from Niagara Falls, along the escarpment past Hamilton, across the Oak Ridges moraine north of Toronto (including Brock township), to Rice Lake near Peterborough"—so 800,000 acres.

It quotes from local councillors: "I really couldn't believe" that they've included Brock.

"It's more than double the size.

"Should the legislation proceed as is, all development outside the urban boundaries of any municipality in the greenbelt would essentially be permanently frozen."

There was a proposed development that the moratorium will affect in Brock, which was a proposal of a "Tim Hortons/Wendy's complex on Highway 12, a 45,000-square-foot grocery store and gas bar on Beaver Avenue, an executive golf course in the Beaverton area, as well as the expansion of two existing businesses."

A lot of that land had not got to the process of being zoned commercial yet; it was zoned rural. They were waiting, which is common in rural Ontario—obviously, there is a tax implication for the people who own it now. They wait until the plan is further developed before rezoning occurs. Are they going to have the chance to expand the boundaries of their towns? Sunderland, Beaverton and Cannington are the three that are of concern in Brock township.

The mayor of Brock, Keith Shier: "I am certainly not impressed by that. I would have liked to think that there would have been some hope of development for us, but it doesn't look like there will be any." This is a big impact on our rural communities. Is it going to shut Brock township right down? How are we going to survive? Various members of council and township staff have pleaded with members of the task force at municipal affairs and housing to exclude Brock. But again, I say to you, they've fallen on deaf ears.

We're hoping that in the town hall meetings—I believe Oshawa is the closest for them, on November 25—they'll have their chance to state their case. Hopefully, as we've discussed before, some of the boundaries will change to allow them to have growth in these small towns. We need to survive out there. We don't want to be in the greenbelt. We feel that we have a case, and I'm hopeful that the government is going to listen to their concerns.

They introduced the recent COMRIF announcement as a source of funding for some small municipalities, based on financial contributions from communities that wish to accept this infrastructure funding. This may cause a problem for some communities, because they don't have the resources to put up their share. Again, if they're going to be included in the greenbelt, they're going to have less revenue, less resources, to put back into their communities. They'll no longer have the option to increase the property tax base to afford the improvements that they see are needed.

I'm hopeful, again, with regulation 170, that rural communities will have a chance for a change in regulations so that the further death knell in rural communities that the Liberal government is doing will stop and we'll be able to keep our town halls and our community centres. It's just logical regulation changes to allow rural municipalities that aren't necessarily on town and municipal water systems the chance to grow and be reasonable with their testing. That's a big burden on a lot of municipalities right now. These improvements to their town sewers and water won't be able to be done because they're not going to have money for infrastructure, even to fit in with the COMRIF program that the government is bringing out.

Many things that are taken for granted in the larger centres we just don't have in the smaller towns and villages. The dream of their expansion is going to be delayed.

The lack of a transportation strategy: I just cannot see that more waiting on highways, more emissions being



sent into the atmosphere have anything to do with improving the environment. You're going to have to spend more money to move people around the Golden Horseshoe area if your plan is to have any success. No plan to accommodate population growth would be complete without addressing the transportation needs for these people. Where are your plans to build the roads necessary to move people and goods throughout the greenbelt?

The transportation plan should absolutely include public transit, but it also has to include roads. I wish I did have more public transit in my riding. Maybe the day will come when there will be GO buses to the southern end of the riding of Haliburton-Victoria-Brock. Recent meetings with the MTO—I'm hoping that the four-laning of 35 will be faster than it's planned, which I know they're working on. The 407 expansion into the 35/115 would be an added bonus for us, and the 404 expansion into 48—it's my wish list.

*Interjection.*

**Ms Scott:** That's what the plans are, based on future growth for the area.

*Interjection.*

**Ms Scott:** Oh, yeah. For roads. Absolutely.

The growth is coming to our area, and we have to support it with the infrastructure. That's what the area wishes, because people aren't going to be able to live—I hope someday that there is more economic development in my riding and people can live and work there instead of travelling so much on the roads. But for right now we need to have that plan thought out: where to build the roads, where the people want to live, if the jobs are here. What's the infrastructure if you're going to leapfrog across the greenbelt?

1700

What is it going to do to the increased price of houses in areas? Are people going to be able to afford it? Are there going to be more renters and less homeowners? The prices are going to go through the roof for the average middle-income family.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Added value to homeowners.

**Ms Scott:** They can't buy it, though. They mightn't be able to buy it.

The home builders' association, I know, has warned you that your plan to stack people like cordwood is not going to work. You're out of touch with the hopes and dreams of Ontarians. People have clearly indicated they don't think the suburbs should be populated by huge apartment buildings. Are they going to be able to develop more in these small towns, have severances off their lots? Is there going to be help from the provincial and federal governments to the municipalities for more infrastructure? Again, water and sewers is a big concern with people up in my riding. Are they going to decide to live on the other side of the greenbelt boundary? Do you have any actual real plan to deal with these roads?

I know they discussed the Smart Growth panels. I wasn't here for Smart Growth. I have seen a lot about it, and I know that Chris Hodgson did an extensive con-

sultation process on that with the municipalities for the plan for growth. We want people to be able to live in their own homes if they wish to and be able to afford them.

I hope this greenbelt discussion is not done with partisan views in mind, which I've mentioned before. We're raising concerns about the plan. I would hope that some of the boundaries will be looked at again, the farmlands will be protected or else some remuneration arranged with the farmers in the greenbelt. We don't want to pave paradise and put up a parking lot.

On this side of the House, we want to ask you to listen closely to the concerns that are being raised by municipal leaders. I mentioned Brock especially because that's the area in my riding that's mostly affected. This is a good opportunity for that area to be raised in the Legislature, so that all members can hear about it.

We want to work with the legislation, with the municipalities and with the farmers. We want their views heard. As I said, it's kind of a short time. They're still trying to figure out how it's going to be impacting on them and what the value of their land is going to be. They're kind of busy these days just trying to pay the bills and eke out a living. Where their future goes in farming is still very much up in the air. So I urge you to pay very close attention.

Regarding the impact we're making here, sometimes I think how the legislation affects everyday lives is not paid very much attention to. Certainly economically we can shut down a township. The Minister of Natural Resources is over there. I've spoken to him often on the Frost Centre: the sudden closing of the Frost Centre and the economic effects it had on the local communities involved and also on the whole province; the purpose of maybe giving some more time to the Frost Centre to come up with an alternative, because of sudden job loss up in Haliburton county, with the second-lowest income in the province of Ontario; the economic spinoff that the Frost Centre had; with it being closed right in July, the 5,000 schoolchildren who could not attend the outdoor education classes planned for them.

I just think that in rural Ontario we need to listen a little carefully. The impacts there are greater than they are in the urban areas. You know, closing the Frost Centre can be equivalent to an auto parts plant being closed down in Toronto, with the economic impact and the loss of jobs.

I'm hopeful now that we may be able to open the Frost Centre with Management Board's approval and that we can restore some jobs and economic growth and do more outdoor education and outdoor stewardship with that. That's one of the many things that are affecting the rural communities.

Is there infrastructure in place to go with the greenbelt? Are you protecting the farmers? Will there be remuneration? Will you work with the municipalities for the expansion of their boundaries, especially, as I'd mention again, Sunderland, Beaverton and Cannington, their proposed new investments there to let people work in



their own homes and be close to their work, and the economic viability of that area?

So before you embark on this law that is going to hurt ordinary Ontarians, I encourage you to please listen to our input, listen to the town halls that have gone on, and make the changes that are appropriate and that can really do what I think the intent of this legislation is to do, which is to protect the green spaces, the farmland, and provide a way to coordinate the managed growth that we expect, because it is coming; it is a natural evolution. I think we can make some amendments, make some changes to the greenbelt and work with all the stakeholders that I have mentioned so that this legislation is effective and is something that we're going to be proud of for generations to come. That is what we want: sustainability in our environment and planned growth. I welcome further debate on this. I see some of the members opposite are taking notes and are anxious to respond, so thank you, Mr Speaker.

**The Deputy Speaker:** Questions and comments?

**Ms Horwath:** In putting my thoughts together around the questions and comments on the speech by the member for Haliburton-Victoria-Brock, I think a couple of common themes have been coming up all afternoon in this debate.

Again, there's the one about what is happening in specific communities. That's why these debates are so important, and to have them in such a fulsome and appropriate way so that we can actually look at how the details will affect each particular area in Ontario that's represented in this Legislature. I just wanted to take the opportunity in that vein, and following on the comments of the member for Haliburton-Victoria-Brock, to once again highlight some of the concerns that have come up in the Hamilton area.

One that I have mentioned already is the pressure that will come to bear in terms of urban sprawl, particularly with the mid-peninsula highway that is planned for our area being located inside the greenbelt. Of course, there are other general concerns about that initiative in regard to the urban sprawl issue overall and the need to have the infrastructure that's welcomed inside of the greenbelt. So we need to make sure we know what we're really doing there and how that is affecting each community.

My previous colleague from Hamilton city council, from the area of Glanbrook, Mr David Mitchell, has some real concerns around the agricultural land that is not in the greenbelt in the Rymal Road area. That needs to be looked at and reviewed in terms of possible amendments to the boundary.

Again, one of my colleagues from Hamilton city council, Margaret McCarthy, represents the Flam- borough-Waterdown area. In fact, there is a big debate happening in that community as we speak—well, in fact, this evening. At 7:30 there's a large community meeting around a quarry that's slated for a huge expansion that's currently under debate in our community. Ms McCarthy has raised these issues with me as well, particularly around how the greenbelt legislation will affect aggregate extraction in her community.

These are, again, important issues, and I am pleased to be able to bring them.

**Mr McMeekin:** I'm always delighted to follow the member from Haliburton-Victoria-Brock, as I am my good friend from Hamilton East, when they talk about the concerns they are hearing.

The member for Haliburton-Victoria-Brock concluded by saying she is looking for sustainability and for planned, intelligent growth. Well, do you know what? We on this side of the House are looking for exactly the same thing.

Her comments were largely positive. In fact, the comments of both the member who spoke and my good friend from Hamilton East were largely positive. I think it's understandable. It has been said that every journey of a thousand miles begins with the first step. But do you know what? That only makes sense if you know where the heck you're going, if you're not heading in the wrong direction. We're going in the right direction.

I think there is general consensus across the province that this is the right thing to do, and I suspect that in 50 years, when my grandkids and their kids are looking back, they are probably not going to observe that the worst thing the new Liberal government did was to protect too much green space. You don't hear anybody in London or New York or Hamilton or Burlington saying that we need to reduce the size of Hyde Park or Central Park or Gage Park or La Salle Park. That just isn't happening.

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I think the observations about the farming issues are important. I would just point out that our government believes farming is an incredibly important industry. We need to be moving to put in supports, enhance safety nets, redouble our efforts around the border crossing issue and what have you, because farming really is important. I hope to get more time later to speak about that.

**Mr Barrett:** It really is a pleasure to listen to the member from Haliburton-Victoria-Brock. In passing, she made mention of the threat to the Frost Centre, and in the same breath highlighted the importance of awareness of sustainability. When we're discussing greenbelt legislation, there is a lot more to this than just the legislation. As legislators, oftentimes when we're given the hammer, every problem looks like a nail. We seem to think the only way to go about this is to pass another law, pass legislation with the attendant rules and regulations and red tape that inevitably go along with that.

To go back to the Frost Centre, I attended environmental sessions there many years ago. The purpose of our days there was to pick up some real practical hints from MNR staff—it might have been lands and forests staff back then—on how best to transmit this knowledge to our students. I was teaching environmental science at the time, and our environmental science teachers' conference would be held at the Frost Centre.

Legislation and laws and rules and regulations are one way of going about this, but at best it's a half measure. It has to be coupled with information and education and



awareness. It has to be something that's promoted in the schools. If not, we just end up with lots of new subdivisions.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** It certainly is my pleasure to speak on this legislation. It's such an important piece of legislation, as I've had a chance to talk about in my own community of Etobicoke-Lakeshore, which is a community that's part of—obviously it's an urban community, but I know that when I have a chance to speak to the people in Etobicoke-Lakeshore about what are some of the most important things in our community to them, they always talk to me about the lake, our lakefront, the importance of having that natural green space around Etobicoke. We're certainly hopeful that a community like ours will have people move in to the community of Etobicoke-Lakeshore, have a chance to see some of our brownfields redeveloped. All of that is part and parcel of a government plan that allows us to save that green space.

I know people in this Legislature have heard many times that I talk about how I was born in Saskatchewan. When you are a girl from the prairies, you certainly understand the importance of farmland and of preserving that history in our province. It's not a preservation for history; it's a preservation for the fact that we need to grow food in Ontario, that we need to support the farmers who are doing that and that we need to acknowledge publicly the importance of doing that and the importance of that support. So for me, that's what this legislation is about.

It's very disconcerting when you drive outside of Toronto and you drive through what used to be an apple orchard, and now you see all those trees cut down, and you see the ground razed and what is happening.

So this legislation really says, front and foremost, that this government is interested in putting a priority on the preservation of our greenbelt in this province, and that we're going to support the industry that is so important to all of us to make sure we have food in this province to eat in years to come.

**The Deputy Speaker:** The member for Haliburton-Victoria-Brock, you have up to two minutes to reply.

**Ms Scott:** I appreciate the comments from the members for Hamilton East, Ancaster-Dundas-Flamborough-Aldershot, Haldimand-Norfolk-Brant and Etobicoke-Lakeshore. As I get to know more of the members here—I didn't realize the agricultural background of the member from Etobicoke-Lakeshore. It is wonderful to hear.

I hope we can work with this legislation to make some of the amendments. The weaknesses are a lot, we've heard, being the farming industry, and with no agricultural plan—the small towns and the frozen tax bases that they will have, their growth, the transportation strategy and the housing prices. I was happy to be able to share the local concerns that we have, probably just some of them, and more will come from the villages that I mentioned that are going to need some amendments to this greenbelt legislation.

We support, certainly, the concept of protecting the green spaces, of having a plan to further protect them, but we really have to deal with some of the issues in there that I have mentioned. I'm sure we and the government—I'm cautiously optimistic, and maybe it's because I'm still new in the job—can work on these issues together. I want the Liberals to be proud of this legislation that they are bringing through, and I want us as a party to contribute to the changes that are made to it, so I look forward to further debate.

I look forward to seeing that they are going to make some changes, and I look forward to the fact that they're going to be involved in reopening the Frost Centre somewhere down the road, which is going to be a sustainable outdoor education centre. I can't say enough about the Frost Centre and the good work it has done in the past and that we know will be done in the future, because this government says it believes in more green spaces and in protecting the environment and sustainability.

**The Deputy Speaker:** Further debate.

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to participate in this debate. I want to say that we support greenbelt legislation in principle, that we support the establishment of greenbelt. But I also want to point out that there are a number of deficiencies in what the government has put forward. I want to spend time today dealing with some of those deficiencies.

The government says that this will protect farmland. It may protect farmland, but that does nothing to protect farming. If farmers can't farm the land, then they immediately come under pressure to do something else with it.

Secondly, there is the whole issue of aggregates. One of the realities of what the government has put forward is that aggregate extraction would not only continue to be permitted within the so-called greenbelt area, it would actually be accelerated. I think that is something that would have to be fixed.

In general, this does not go far enough in terms of protecting farmland, it does not go far enough in terms of protecting farming and it does not go far enough in terms of enhancing the capacity of farmers to continue to work within what is regarded as, or what will be regarded as, the greenbelt. I want to zero in on some of the real farm issues because I think that's something that needs to be considered here.

Protecting farmland but failing to protect or enhance farming, or failing to safeguard Ontario's important agricultural industry, it seems to me, leads not to a good end. Farmers want to farm, and farmers within the greenbelt want to farm. Farmers within Ontario want to farm. But the global crash in agricultural commodity prices, combined with the ongoing effects of the BSE crisis in the North American cattle market, have put many farmers in the position of being on the brink of financial disaster. In fact, I think it's fair to say that most farmers who are in the cattle industry are probably looking at another five or six months before they go under.



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Most farmers who are livestock producers have re-mortgaged their farms, their homes; have gone out there and arranged lines of credit but have exhausted those lines of credit, and are also in debt to their suppliers. If something doesn't happen within the next five or six months, this will all, of course, end in terms of their financial failure. But it will affect not just those individual farmers it will affect virtually everybody across the rural landscape. So when you talk about protecting farming and farmland within the proposed greenbelt, this is one of the issues that has to be addressed.

As I say, farmers want to farm, but are often, as conditions now stand, forced to become speculators because this government and the Liberal government in Ottawa are not doing enough to make farming financially viable in the greenbelt and elsewhere in the province. Farmers' concerns with the greenbelt and its potential to decrease their equity and increase their taxes simply illustrate the inadequacy of farm income strategies on the part of the Liberal government here in Ontario and the Liberal government in Ottawa.

What needs to be done? It seems to me that we need to see a meaningful farm income support system. If farming is going to continue in the province and continue within the proposed greenbelt, this is one of the elementary things that needs to happen. If farmers are going to continue to act as guardians of our prime agricultural farmland within the proposed greenbelt and safeguard important environmental benefits for present and future generations, and not sell out to developers, then they are entitled to make a living. There has to be a strategy to ensure they can continue to make a living. So immediate steps are required to recognize the important economic and environmental benefits Ontario farmers provide through the development of a comprehensive farm income support system.

I think people should note that we often get lectures from our neighbour to the south that, "You shouldn't subsidize this or you shouldn't subsidize that." Who is the greatest subsidizer of farm incomes? The United States government. Who is not far behind? The European Union. In terms of the two jurisdictions with which we are most closely comparable, the United States and the European Union, they have farm income supports and we don't. If the government says that it wants farming to continue within the proposed greenbelt, this is one of the issues which must be addressed: What is the farm income support plan?

I just want to point out that there are some options here. In the early 1990s, the NDP government that I was a part of introduced the Niagara tender fruits program, which protected specialty crop lands in the Niagara region through providing funds in exchange for agricultural covenants that ran with the land. The budget for that was a modest \$15 million a year, but helped protect tender fruit lands from urban development. Regrettably, that was killed by the former government on July 13, 1995, soon after they were sworn into office. But it

seems to me that that is one viable strategy to ensure that what is designated as farmland within the proposed greenbelt continues to operate in terms of farming; that farmers can continue to stay on the land.

I would argue that we need to see land covenants or conservation easements, as well as land trusts. These are just some of the approaches needed to be implemented on any proposed greenbelt space to ensure meaningful protection and sustainability—not just farmland within a proposed greenbelt, but farming within a proposed greenbelt. I note that the agricultural advisory team recommended that the government here in Ontario work with the federal government to recognize agricultural land trusts, so even the government's own agricultural advisory team says this needs to happen.

In the couple of minutes I have remaining, I just want to talk about aggregates. Those of us who come from northern Ontario know that if you really want to change the landscape, all you need is an aggregate pit or a gravel pit, and the physical appearance of the landscape will change very, very quickly. In fact, two years with a gravel pit or an aggregate pit in place and you won't recognize what used to be a green space.

While the government says this is going to be a protected greenbelt, what is incredible is that there is practically no limit on aggregate extractions. Areas within the so-called protected countryside of the proposed greenbelt are major sources of aggregates for the GTA market. And what's clear when you read the proposal is that extraction will continue and expand under the so-called Greenbelt Act or plan. We can see expansion of aggregate extraction, with all that means for habitat destruction and threats to habitat of endangered species. So if the government is really serious about greenbelt protection, it seems to me these are two issues that have to be addressed.

I know, from a question that I asked just before the constituency break, that the government doesn't seem to want to talk about this. The government doesn't seem to want to talk about an income plan for farming. It doesn't seem to want to talk about covenants or land trusts to ensure that farming activity continues to be carried on. The government doesn't seem to want to talk at all about aggregate extraction. It seems to want to pretend there won't be aggregate extraction within the so-called proposed greenbelt. But it's very clear, when you read the legislation, that that's going to continue.

If the government is serious about this, it has to have a plan for agriculture. You've got to have a plan so that farmers can continue to earn a livable income. And if you don't, then this is quickly going to evaporate. If you think that aggregate pits are going to go everywhere and you're going to continue to have a greenbelt, you're sadly mistaken. Two areas that need to be improved.

**The Deputy Speaker:** Questions and comments?

**Mr Ramal:** It's my pleasure again to stand up in this place to speak about a very important issue concerning all of the people of this province. We heard a lot of members speaking about it, and recently we were listening to



the honourable member from Kenora-Rainy River speak about his concern about Bill 135, the Greenbelt Act, as other members have expressed their concerns before.

The Minister of Municipal Affairs, who's in charge of that portfolio, said to them that we are going to send this bill to committee. We're going to travel the province of Ontario to listen to the great people of this province about their concerns, and take their input and hopefully make adjustments to it. As a matter of fact, he is open to all the negotiations and the discussions and he's willing also to debate it with all members of the House in order to create a bill that speaks for all the people of this province and talks about the future of this province.

As you know, I come from London, Ontario. We call our city Forest City. We appreciate the green land a lot. We try as much as possible to plant many trees on a yearly basis to keep our city green and the forest alive in the city of London. Also, we have many parks like Victoria Park in downtown London, and we have Springbank Park. Those parks are important for the people of London because on the weekend many people go to the park, have fun, meet and gather families and have barbecues. They also give a beautiful atmosphere for the city of London.

I believe the greenbelt bill will also add flavour to the whole province, give protection to our farmland and keep it alive. Also, we can keep getting the fresh fruit and vegetables that we're looking forward to, and protect our future.

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**Mrs Julia Munro (York North):** I think it's really important for this Legislature to understand some of the implications of this particular piece of legislation. In his remarks, the member certainly pointed to some issues around agriculture. I think that, for too many people, they have misinterpreted green space in agriculture and agricultural land as being synonymous. This is simply not true. Agriculture is still the second most important economic driver in the greater Toronto area.

All of the regions have huge concerns about this particular piece of legislation and the kind of impact that it will have. The members of the regional governments around Toronto as well as the Ontario federations of agriculture have been meeting for about two years now to look at ways by which government could support agriculture in the greater Toronto area and are, quite frankly, disappointed by the kind of initiative that we see by this government, where green space has now come to mean prime agricultural land, with very little thought or consideration to the issues that will make it, and allow it to continue to be, a viable economic driver of this area.

Issues like that make this piece of legislation extremely problematic.

**Ms Horwath:** It's my pleasure to make some comments on the speech and the debate given by my leader, Howard Hampton, from Rainy River. I want to say that he actually did quite eloquently reflect some of the concerns that have been raised by our environment critic as well as others in this debate. Again, the issues of

aggregate extraction and of what's really going to happen in terms of the farming industry—and not specifically each and every farm but rather the industry as a whole—and how we ensure that industry survives and thrives over time is significant. We don't want to be missing any of the key pieces we need to put that into place and to make sure that happens. Certainly, one key thing will be the protection of those lands, but then there are many other pieces that need to be put into place, and I think he appropriately outlined those issues.

I wanted to indicate once more that in fact there are some positive things this legislation covers off but, quite frankly, there are some things I have described in my own riding and in the general area around my riding that we need to look at, including specific issues around aggregate extraction, which we're dealing with at this very moment, as well as concerns around the Niagara Escarpment and the tender fruit belt particularly. Also there's the issue of this government's willingness to hear what we are saying when we are bringing these issues forward, and a real expectation and hope that amendments will come and we will be in a position to wholeheartedly and without reservation at all support the final iteration of this greenbelt legislation.

**Ms Judy Marsales (Hamilton West):** I'm delighted to speak to this bill this evening from another perspective. We've heard a lot of discussion around Hamilton today, but let me talk to you about what is good about this bill for Hamilton.

Downtown Hamilton is just on the fringe of a wonderful renaissance. The renaissance is going to be around the redevelopment of its brownfields. Hamilton is a leader in brownfield development. Just recently, Sergio Mancha was awarded the gold star, I think it was called, for brownfield redevelopment. With the opportunity that's afforded in revisiting downtown Hamilton and some of this wonderful land that we have abutting the shores of Hamilton Harbour, I think there's a wonderful opportunity to redevelop it, to make more space for residential.

I was just talking to some of my friends recently, and they said, "Wouldn't it be wonderful to have a condo in downtown Hamilton overlooking the water?"—something that has been unheard of in Hamilton over the centuries. I think we want to re-embrace the waterfront in Hamilton. Hamilton is rediscovering its waterfront. We are one of the few communities in the world that actually ran away from our waterfront until quite recently. So I think the greenbelt legislation has wonderful opportunities for Hamilton in that regard.

It also allows, perhaps, a new vision for the downtown of Hamilton. We have the most amazing architectural buildings downtown, and at the moment a lot of them are empty. This is going to give people a new opportunity to revisit those buildings, to take a look at what great opportunities exist in downtown Hamilton.

I want to thank all of my colleagues for supporting this legislation, because I think it is a wonderful, wonderful opportunity for us in Hamilton to take a look at what we



can do downtown with this land that's available to us, and in particular my colleague here from the Prairies, as I just found out, because I too am a prairie girl. So thank you, Mr Speaker.

**The Deputy Speaker:** The member for Kenora-Rainy River, you have two minutes to reply.

**Mr Hampton:** I appreciate the comments that have been made.

In my two-minute response I just want to go back over the aggregate issue, because I think it is so important. As I said earlier, it is very strange in proposed greenbelt legislation to actually see not only provisions that allow for the continued extraction of aggregates, which, as I say, can completely change a landscape, but provisions to allow for the expansion of gravel pits and the taking of aggregates. To me, this is a complete contradiction. I think what we need to see is that instead of allowing new and existing aggregate operations to continue to gobble up what would be proposed greenbelt, the government needs to follow the lead of other jurisdictions and move immediately to implement measures, financial and/or regulatory, to, first, reduce the demand for aggregates and, second, increase the substitution of recycled materials instead of increased aggregate extraction.

I just want to point out, for example, that in Europe, specifically in the United Kingdom, Sweden and Denmark, they have put in place measures that result in the recycling of aggregate rather than new aggregate. The result of that is that you actually have more and more recycled aggregate being used, you have fewer new gravel pits being opened, fewer new aggregate extractions, and everybody is better off. Sometimes this is done by means of regulation; sometimes it is done by simply increasing the tax or the levy on new aggregate and having no levy on the recycling of aggregate. But something like that needs to be done if this is to work.

**The Deputy Speaker:** Further debate? The member for Mississauga—no, Scarborough Centre.

**Mr Duguid:** The other side of Toronto. Thank you, Mr Speaker.

Every decade or so, generations have an opportunity to make a decision that will impact future generations. This is one of our opportunities as a generation, not only as a government but as legislators, an opportunity to have input into a decision that will be felt and appreciated not only two years down the road, when we're all back into another election, not only 10 years down the road, but 40 or 50 years down the road, when people will look back and say, "Thank you," to those who participated in this debate, to those who supported this greenbelt to make sure the quality of life in the Golden Horseshoe could be maximized, to make sure the quality of life in the Golden Horseshoe was sustainable in a number of different ways.

I have had the opportunity to attend a number of the consultations so far, and probably one of the best questions that was asked was, why are we doing this? I'd like to talk a little bit about why we're doing this.

By the year 2031, four million additional people will be coming to this region. That's like having the

equivalent of Vancouver, Calgary and Edmonton, all the people in those cities, packing up and moving here. That's an incredible number of people. It's a good thing, because it is going to create jobs; it is going to create wealth. It's a good thing, but it's also a challenging thing because we're going to have to accommodate all those people and do it in a way that's not going to lead to uncontrolled urban sprawl. That's what, in part, this is all about: finding a way to accommodate that growth, but as well to preserve the quality of life that we all treasure in the greater Golden Horseshoe area.

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We're doing this because we're concerned about gridlock. We recognize the importance of dealing with it, that reducing travelling time is important from a convenience point of view for people coming to and from work, commuters, and it's important from a quality-of-life point of view as well for people who want to get home and spend some time with their kids instead of spending an hour, an hour and a half or two hours on the road each and every morning and night. It's important from a business perspective as well because we need to move goods around. If our roads are gridlocked, we're not going to be able to do that. This initiative will assist in controlling gridlock.

It's important that we preserve our environmentally sensitive lands. We need to preserve these lands for a number of different reasons. We need to ensure that our water quality is secure and safe, and this initiative helps us to do that. Even if you live in downtown Toronto, you have rivers running through your city. We want those rivers to be as clean as they possibly can be. That's important to our quality of life and it's important to the safety and security of our drinking water. So this is important from a preserving-of-water perspective as well.

It's also important to ensure that we preserve the quality of our air. We all know that woodlots are an important part of replenishing the quality of that air. This initiative will ensure that there are hundreds and hundreds of acres of woodlots that might have been paved over, had we not moved forward with this, that will not be now. That's something that will benefit not only us as we grow older but future generations as well.

It's also important to preserve our precious agricultural lands. It's important to ensure that we have a viable farming industry that is close to the source, close to where the demand is. Otherwise, we're going to have to be trucking our agricultural products in from other jurisdictions, if not from other parts of Ontario. It's going to increase the cost of agricultural products; but, worse than that, it's going to impact the gridlock that we're working so hard to try to address.

It's also important that we curb urban sprawl, and that's part of this. It's important from an economic point of view as well that we curb urban sprawl. The cost of infrastructure—of highways, of public transit, of sewers—will be much greater if we don't get a handle on our growth in the greater Golden Horseshoe area. It's very important that this greenbelt legislation go through.



Most important of all, probably more important than anything else, is what impact this is going to have on the quality of life for our future generations, the need for our future generations to have green space to enjoy. I think that, more than anything else, is the gift all of us in this Legislature are giving to not only our children but to our children's children. I think it's something we'll all be proud of once all is said and done.

There will still be much room for further consultation on this. There will still be a lot of room for consultation as we go through the committee process. I'm looking forward to further debate on this. We all know we're doing the right thing here. We know this is something we're all going to be proud of and that our grandchildren and our grandchildren's children are going to appreciate as well.

**The Deputy Speaker:** Questions and comments?

**Mr Barrett:** The speaker opposite kicked off by raising the question, "Why are we doing this?" I have heard that question raised a number of times. I hear what you're saying, your concern with respect to population growth. You in part described that increasing the number of people in this greenbelt area is a good thing, as far as it brings jobs and wealth. It does raise that issue of sustainable development or economic sustainability. To take that further, we need some proactive, kind of far-reaching measures in this initiative, certainly beyond this particular legislation. I guess I'm using the concept, rather than sustainable development, of developing sustainability. That's an economy that's based on something beyond merely growth, something based beyond merely building houses, which I know has been a major factor in our present economic growth.

I represent a rural area of Haldimand county, a county somewhat similar to Haliburton that has been able to get by. I will make the point that the average income is not near what you see in much of the GTA, as with the Haliburton area, but it is an area that has gotten by. Haldimand county went for 100 years without any increase in population growth, and they were able to sustain their economy, raise families and put their children through school without being addicted to population growth.

**Ms Horwath:** Once again, I want to make some comments on the debate that's been ongoing this evening. I have to say that there are a lot—it seems to me—of comments coming from the government side that they are willing and prepared to hear what is being said, probably both in their consultation process but also, hopefully, with what's being said by the members of this Legislature as this debate unfolds. I think it's an important debate. I think it's one that can only add to the value of legislation that protects green space across the Golden Horseshoe area of the province of Ontario.

I think we all recognize the growth pressures that exist, and the fact that we need to really seriously plan for what that growth is going to do to our sustainability as communities, particularly those that are directly affected, those around the GTA and the Hamilton corridor. As we continue on in the progression of this bill, I look

forward to seeing some of the insights, some of the comments, some of the suggestions, some of the recommendations that are brought forward by the members, not just those I've raised on my own as a result of some of the consultations I have personally done in my own community, but also hearing what some of the members are saying in regard to their own communities.

I think there are specific issues that need to be dealt with around where the boundaries are going, but also broader things that need to be dealt with, particularly around things like the aggregate industry and issues around sustainability of farming over time. I think all of us would agree that these things are extremely important and need to be addressed in the bill.

**Mrs Sandals:** I'm pleased to rise to comment on the debate here on Bill 135 this afternoon. I would like to comment on a couple of the comments I have heard as the debate has unfolded. One has been the statement around protecting farmland and the fact that for many farmers—it's the quote we keep hearing—their retirement plan is the farm. I think this is a really interesting comment because it implies that when the farmer retires, the only retirement income they will have is if they sell their farm to a developer for significant dollars.

I think we need to stop and think about what the logical outcome would be if every farmer in the greenbelt, in the Niagara tender fruit and grape land areas, were to depend on being able to sell their farm to a developer. The logical conclusion is that once we went through a few generations where everybody retired by selling their farm to a developer, pretty soon there would be no farms left. They would all be paved over by developers. That's the reason this legislation is so important: that we protect that farmland and make sure it's there.

1750

Then there's the comment that if farmers don't have the speculative value of their land, they won't be able to get loans. Well, I have a lot of farmers who live north of me up in the Drayton area, north Wellington, and up in the north Perth area, where there's wonderful farmland but no speculative value. Those farmers are able to get loans to carry on very productive farms.

So I would like to discount both of those arguments. I support protecting our farmland so that future generations will be able to grow crops, not pavement.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to add some comments on the speech this afternoon on the greenbelt legislation, Bill 135. I've had a chance to make some brief comments previously, but I would just like to reiterate that farmers do have concerns with this bill. Fruit growers have concerns with this bill. They're concerned about devaluation of their properties. They're concerned about expropriation without compensation.

I note that Len Troup, chair of the Ontario Tender Fruit Producers' Marketing Board—he's the owner of a 120-hectare operation that employs 100 people—stated in the Hamilton Spectator, "They've got to slow down

and be prepared to deal with real-world situations,' he says.... 'They'd better start listening'"—this being the government—"and working with the people on the land and stop issuing ultimatums,' he warns."

Even the member from Stoney Creek, the Liberal member, is quoted in this paper, saying, "'From 10,000 feet up, it looks good, but there are some serious issues at the grassroots level,' Mossop admits."

Also, a local councillor, Dave Mitchell, is quoted in the paper: "Mitchell says in principle the greenbelt is a good idea, but it should make scientific sense based on the viability of the land."

I know the Minister of Municipal Affairs and Housing this afternoon was saying that this bill is based on science. We're concerned it's political science, not real science, not the science of whether it makes sense.

So there certainly are some concerns that have been expressed by farmers, in particular, with this bill. I'm in favour of producing green space, but we have to take those farmers' considerations into account.

**The Deputy Speaker:** The member for Scarborough Centre has up to two minutes to reply.

**Mr Duguid:** Thank you to all those who participated in the debate: the members from Guelph-Wellington, Hamilton East, Haldimand-Norfolk-Brant, the member from Muskoka. I thank them for their comments.

We're talking about a very, very important initiative here: a million acres of additional land that's now going to be preserved, 1.8 million acres in total; an area about the size of Algonquin Park, maybe just a little less than that; an area larger than Prince Edward Island. Every piece of this area that's being preserved is important.

I look to my colleague, my seatmate here from Oakville, Mr Flynn, and I look at the effort he put through to ensure that 1,300 acres in Oakville were preserved and included in this area. I commend him for that, along with Minister Ramsay, for recognizing the importance in their areas of this kind of thing.

As we're going out and talking to people in these consultations, one statement that's made from time to time is, "Are you basing this on political science or are you basing this on real science?" You know what? I don't give a damn whether it's real science or political science, because when we're talking about something like the 60-metre buffer zone on rivers, developers will tell you, "The norm is 30 metres. Why are you doing it 60 metres? You don't have science to support that." Well, you know what? Twenty years from now, when there's a 60-metre buffer on each side of that river, young people who are walking through that ravine and enjoying that ravine are not going to be saying that you didn't have the science to make that ravine as large as it is. They'll be saying, "Thank goodness you had the vision to recognize that it's not all about science; it's about quality of life as well."

Green space is important to our quality of life. You don't need scientific studies to tell you that a 60-metre buffer is better than a 30-metre buffer. A 60-metre buffer is better on every occasion.

**The Deputy Speaker:** It being 6 of the clock, according to this gold pocket watch of mine, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1755.*

*Evening meeting reported in volume B.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Flamborough-Aldershot	<b>Tascona, Joseph N. (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		Marsales, Judy (L)
Barrie-Simcoe-Bradford	Prue, Michael (ND)		
Beaches-East York / Beaches-York-Est		Hamilton West / Hamilton-Ouest	
Bramalea-Gore-Malton-	Kular, Kuldip (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona (L)</b> Minister of the Environment / ministre de l'Environnement
Springdale			Mitchell, Carol (L)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Huron-Bruce	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kenora-Rainy River	<b>Gerretsen, Hon / L'hon John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brant	Levac, Dave (L)		Milloy, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	
Burlington	Jackson, Cameron (PC)		
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Van Bommel, Maria (L)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon / L'hon David (L)</b> Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Lanark-Carleton	Runciman, Robert W. (PC)
	Wynne, Kathleen O. (L)	Leeds-Grenville	Matthews, Deborah (L)
Don Valley West / Don Valley-Ouest		London North Centre / London-Centre-Nord	
Dufferin-Peel-Wellington-Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	London West / London-Ouest	<b>Bentley, Hon / L'hon Christopher (L)</b> Minister of Labour / ministre du Travail
Durham	O'Toole, John (PC)	London-Fanshawe	Ramal, Khalil (L)
Eglinton-Lawrence	Colle, Mike (L)	Markham	Wong, Tony C. (L)
Elgin-Middlesex-London	<b>Peters, Hon / L'hon Steve (L)</b> Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon / L'hon Harinder S. (L)</b> Minister of Transportation / ministre des Transports
Erie-Lincoln	Hudak, Tim (PC)		Fonseca, Peter (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	
	Cansfield, Donna H. (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke Centre / Etobicoke-Centre		Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Nepean-Carleton	Baird, John R. (PC)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Craiton, Kim (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nipissing	Martel, Shelley (ND)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Northumberland	Smith, Monique M. (L)
Halton	Chudleigh, Ted (PC)	Oak Ridges	Rinaldi, Lou (L)
			Klees, Frank (PC)

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Oakville	Flynn, Kevin Daniel (L)	Stoney Creek	Mossop, Jennifer F. (L)
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Sudbury	<b>Bartolucci, Hon / L'hon Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon / L'hon Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Thornhill	Racco, Mario G. (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	<b>Watson, Hon / L'hon Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thunder Bay-Atikokan	Mauro, Bill (L)
Ottawa-Orléans	McNeely, Phil (L)	Thunder Bay-Superior	Gravelle, Michael (L)
Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	North / Thunder Bay-Superior- Nord	<b>Ramsay, Hon / L'hon David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Bisson, Gilles (ND)
Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard</b> (L) Minister of Education / ministre de l'Éducation	Timmins-James Bay / Timmins-Baie James	<b>Smitherman, Hon / L'hon George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Sorbara, Hon / L'hon Greg</b> (L) Minister of Finance / ministre des Finances
Perth-Middlesex	Wilkinson, John (L)	Toronto-Danforth	<b>Arnett, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Peterborough	Leal, Jeff (L)	Trinity-Spadina	Flaherty, Jim (PC)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Vaughan-King-Aurora	Zimmer, David (L)
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	<b>Pupatello, Hon / L'hon Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Whitby-Ajax	<b>Duncan, Hon / L'hon Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	<b>Kwinter, Hon / L'hon Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sault Ste Marie	Orazietti, David (L)	Windsor West / Windsor-Ouest	Munro, Julia (PC)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Windsor-St Clair	<b>Cordiano, Hon / L'hon Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough East / Scarborough-Est	<b>Chambers, Hon / L'hon Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York Centre / York-Centre	Sergio, Mario (L)
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York North / York-Nord	
Scarborough-Agincourt	<b>Phillips, Hon / L'hon Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York South-Weston / York-Sud-Weston	
Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin</b> (L) Speaker / Président	York West / York-Ouest	
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	<b>Bradley, Hon / L'hon James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 17 November 2004

Mercredi 17 novembre 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 17 November 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 17 novembre 2004

*The House met at 1845.*

### ORDERS OF THE DAY

#### TIME ALLOCATION

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 100, An Act to Amend the Electricity Act, 1998 and the Ontario Energy Board Act, 1998 and to make consequential amendments to other Acts, when Bill 100 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the standing committee on finance and economic affairs; and

That the standing committee on finance and economic affairs shall be authorized to meet on Tuesday, November 23, 2004, following routine proceedings or 4:00 pm, whichever is earlier, for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 noon on November 23. Not later than 5 pm on November 23, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than November 24, 2004. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the standing committee on finance and economic affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That at 5:50 pm or 9:20 pm as the case may be on the day that the order for third reading of the bill is called as the first government order, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That there shall be no deferral of any vote allowed pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 10 minutes.

**The Acting Speaker (Mr Ted Arnott):** Mr Duncan has moved notice of motion 240. I recognize the government House leader to lead off.

**Hon Dwight Duncan:** I rise in this House and am proud to say that this government has opened up the Legislative Assembly to fuller debate and discussion. After eight years of having legislation forced down our throats, we are committed to changing the atmosphere around this place.

We do not take time allocation lightly. Those of us who have been around for a while have seen what happens when time allocation is used thoughtlessly. During the Harris-Eves reign, the Legislature forgot how to operate, as seemingly every bill introduced was time-allocated. From 1999 to 2003, the Harris-Eves government used time allocation motions on 67 of 110 government bills that received royal assent, or 61%. Over the entire Harris-Eves tenure, time allocation was used over 100 times. In its last session, the Eves government used time allocation on 83% of government bills that received royal assent.

**Mr John R. Baird (Nepean-Carleton):** Shame. And you said it was terrible.

**Hon Mr Duncan:** That's right. It was a shame—83%. And my friend opposite, the former Minister of Energy, one of the last bills he dealt with on the government side was Bill 23. He'll be pleased to remember that he time-allocated that bill and, unlike this side of the House, he provided for no debate at third reading and no committee hearings on the bill at all. That is not how this place was intended to operate, and it illustrates a complete lack of respect for this institution. It not only diminishes the roles and rights of members, but the citizens they represent.

1850

*Interjections.*

**The Acting Speaker:** We started five minutes ago, and I would ask the House to come to order.

**Hon Dwight Duncan:** This government will not treat this House in the manner that the previous government



did. We have introduced 42 government bills, passed 17 bills, and this is only the second that we've had to time-allocate. I agree that this is a very important debate, and that's why we sent Bill 100 to committee after first reading. At committee, the bill received six days of public consultation across the province and two days of clause-by-clause analysis. The committee heard from over 100 witnesses and received 685 written submissions.

How many days of public consultations did the Tories have when they cut welfare by 21.6%, fired one third of Ministry of the Environment staff, slashed education funding by \$400 million, cut \$400 million from colleges and universities and took \$552 million from other municipalities? How many days of debate? How many committee hearings? None. Zero. How many days of public consultation did the NDP have when they ripped up collective agreements with their social contract? Zero. None.

I remind the Tory members across the way that you introduced four energy bills in the last Parliament, Bill 23, Bill 58, Bill 80 and Bill 210, and time-allocated each and every one of those bills. This is the third energy bill we have introduced, and only the first that we are time-allocating. Three of those bills, by the way, received no third reading debate and no public hearings. And to my friends in the NDP, I will remind you that when you raised the gas tax by 3.4 cents, you had no debate, no committee hearings.

In addition to the eight committee days already spent on this bill, a further day will be spent by committee for clause-by-clause review. This bill received over eight hours of debate at second reading, and will actually be debated at third reading, something that rarely happened under the previous government, especially under Energy Minister John Baird, whose last bill: no debate, no committee. Under the Eves government, only once did a time-allocated bill allow for third reading debate and committee time.

If the opposition wanted to debate this bill, they would not have called for adjournment of the debate twice, choosing to waste over one hour of time in ringing bells. Let me be clear, our government will not treat the House with the disrespect that the Tories did. Time allocation will be used only on major legislation that is time-sensitive.

After more than a decade of mismanagement, we need to act quickly and decisively in the electricity sector. The proposed Electricity Restructuring Act, 2004 includes a new Ontario Power Authority that would ensure an adequate long-term supply of electricity, a mandate that no existing institution in the province currently carries. When I first became energy minister, I was astonished to find out that there was no one conducting any long-term planning for the supply needs of this province. The proposed Ontario Power Authority would be a crucial link in the supply chain. The mismanagement and lack of planning under the previous government was disgraceful. Their irresponsible actions in this file make it all the more crucial that the proposed Ontario Power Authority

and other sector reforms outlined in Bill 100 be implemented in an expeditious manner.

Conservative and NDP mismanagement has had a negative impact on the prosperity of our economy. The NDP record is abysmal. Between 1993 and 1995, Ontario Hydro phased out all conservation initiatives. The NDP also cancelled a major green hydroelectric project, Conawapa, which would have given access to 1,250 megawatts of clean renewable power. This would have helped Ontario become less dependent on dirty, coal-fired generation. The NDP increased hydro rates by 40% in just three years, and added \$4.2 billion to Ontario Hydro's stranded debt. The NDP record is also plagued by policy reversals. They campaigned for public power, but Howard Hampton said in his own book that, "There will be important roles for the private sector to play in the future of our electricity system, as there have always been."

Earlier today, Mr Hampton quoted from this new book, *Hydro: The Decline and Fall of Ontario's Electric Empire*, and I'd like to quote a little section from the same book into the record today. It says, "Rae's"—that's the Rae government—"accidental government, whose electoral platform would later be described by party insiders"—

**Mr Baird:** Two points of order, Mr Speaker: One, the member opposite is clearly using that as a prop. We have a very landmark ruling by Speaker Curling that you're not allowed to hold up documents in this House. Two, I think he is unconscious of the fact that he actually is a minister of the crown and a member of the government. He won the election. I'm not sure he has remembered that in his speech.

**The Acting Speaker:** There's absolutely no point of order. I return to the government House leader.

**Hon Mr Duncan:** I am conscious that we won the election. I'm conscious that we have to clean up the mess you left, and that's why we're here tonight.

I'd like just to make sure we get this quote in:

"Rae's accidental government, whose electoral platform would later be described by party insiders Chuck Rachlis and David Wolfe as little more than an election ploy, gave little serious thought to greening the power system and was wide open when another road presented itself.

"It was such a surprise that we got elected that we had not set our own priorities," said Bud Wildman, who held the energy portfolio."

You know, in the NDP they talk about to-ing and fro-ing on issues. They said they would close or convert Ontario's coal-fired generating stations by 2007. Then this March Mr Hampton stated, "...you can't in the space of three years close all the coal-fired plants. You should close the worst one or the worst two and work at it from there." He said, "Look, it's just not realistic." That wasn't their platform, and we are moving on our campaign commitment.

To top it all off, the NDP voted against putting the price cap on electricity and then they voted against taking

it off. They like to accuse others of flip-flopping and being all over the board. I remind you, they voted against putting the price cap on and then they voted against taking it off. We voted in favour of that failed policy, as I've acknowledged publicly on a number of occasions. It was a mistake. We've said that. We're correcting that. We raised the cap this year, in an attempt to help unstem the flow of money to the tune of \$1.8 billion gross resulting from that failed policy.

The Tory record is just as bad, and some would argue even worse. They threw consumers on to the volatile spot market, with skyrocketing electricity prices, during their failed deregulation scheme. Their unrealistic price cap froze rates at a level that cost taxpayers a net of \$1 billion. They gave no priority to conservation and introduced Bill 210, which took away virtually every incentive to conserve electricity. A former energy minister said, "The private sector asked us to get out of large-scale government conservation programs." Those efforts "may have made the odd person feel good, but they had absolutely no effect."

Not only did the Tories drop the ball on conservation, but there was little progress on new supply when they were in office. All the while they exempted Ontario Power Generation and Hydro One from freedom of information, senior Tories were awarded lucrative, untendered consulting contracts for millions of dollars. This was at a time when they were preaching fiscal restraint and cutting social assistance rates by 22%.

Beginning to deregulate with the breakup of Ontario Hydro, they promised lower rates and greater supply. What did we get? Consumers were thrown on to the volatile spot market, to higher prices with less supply. In retrospect, Ernie Eves said in the *Toronto Star*, "I think it's fair to say now, with hindsight, that the marketplace wasn't ready to be opened.... I still think the principle of competition is a good one, but the competition wasn't there." That's Ernie Eves.

If Ontario's electricity system were left on the course set by the previous government, it would have ceased to serve us, ceased to power our economy and threatened our continued prosperity. After years of mismanagement, we're acting decisively to fix the mess that was left to us. We're putting Ontario back on a solid footing by taking a balanced approach, one that addresses the critical need for new supply, increased conservation, and consumers' desire for price stability, the importance of public leadership and the need for private investment.

Given the seriousness of the challenges we face in the electricity sector, I urge members of the Legislative Assembly to support the passage of this legislation so that we can get on with the business of responsible management in this sector.

1900

**The Acting Speaker:** Further debate on the motion.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I guess what I just heard was a gag order to cut off debate on Bill 100. The minister made reference to ramming legislation down people's throats. Further to this time

allocation motion, it is a motion to end debate on Bill 100, the Electricity Restructuring Act, 2004.

This is an act with some very important goals. This is an act designed to ensure the future supply of reliable energy, affordable energy and sustainable energy. This is very important to people in my riding. I represent a low-income riding. Many people cannot afford the cost of power. We understand that just through legislation alone we're looking at a 15% increase in power.

This legislation is also very important to people in my riding. A lot of people work in the electricity generation business; 600 people work at the Nanticoke plant down on Lake Erie. Nanticoke is one of the best-run coal plants in North America. I'd remind the members opposite that throughout North America and certainly in the United States coal is here to stay. Fifty-two per cent of US generation is currently coal, and the US Department of Energy estimates that coal will provide over 50% of incremental new supply for at least the next 20 years.

What does that mean? That means that jurisdictions in North America are building brand new coal plants; they're not shutting them down. One may ask where are these plants and how many? In the United States, there are now 92 new coal-fired plants, 50,000 megawatts, many in the midst of environmental approval. Why would they do this? Again, fuel costs for coal are in the 1.5-cent-per-kilowatt-hour range. I ask the members opposite to compare that to the price of generating electricity with natural gas, for example. Rather than 1.5 cents per kilowatt hour, you will be having our people foot the bill for a four- to five-cent-per-kilowatt-hour cost.

**Mr John Wilkinson (Perth-Middlesex):** What price mercury in the environment?

**Mr Barrett:** I will mention, too, the technology with respect to not only taking out nitrates, as we know, but taking out sulphur and mercury as well.

I might draw to the attention of the members opposite that the United States just went through an election. Both sides had a platform based on clean coal. George Bush, the winner, is investing \$2 billion in a pilot project for clean coal, which includes taking out mercury. For those who were fans of his democratic rival, John Kerry ran on a platform of a \$10-billion investment in clean coal.

Why do I think it's very important that this kind of legislation not be under a gag order? Take a look at the bill itself, and I'll quote several sections. For example, this bill is designed "to ensure the adequacy, safety, sustainability and reliability of electricity supply in Ontario...." Why cut off debate on safety and reliability?

Furthermore, look at this clause: "...to promote the use of cleaner energy sources and technologies"—I would assume that would normally include technology to clean mercury out of emissions—"including alternative energy sources and renewable energy sources...." Again, why put a gag order on this kind of discussion?

"(f) to protect the interests of consumers with respect to prices"—something very important for people—"and the adequacy, reliability and quality of electricity service." Again, we're closing debate on this.



“(g) to promote economic efficiency and sustainability in the generation, transmission, distribution and sale of” energy.

Again, I would assume all members of the House agree with these principles, but I bring to your attention, Speaker, that the Liberals are shutting down debate. They’re ramming through time allocation, not allowing us to explore these issues a little further.

I bring these points to your attention, Speaker, and to the attention of members opposite, because I submit they run counter to the Liberals’ key energy platform plank, that being the abandonment of the most dependable and abundant form of energy supply that exists in North America today. I speak, of course, of this government’s blind rush toward closing down coal-fired energy by 2007. For Lakeview, I think the target is 2005. If you think you’re going to close down Lakeview by 2005, good luck.

**The Acting Speaker:** Further debate. The member for Ancaster-Dundas-Flamborough-Aldershot.

*Interjection:* Are you NDP?

**Mr Baird:** He’s more conservative than the NDP.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I know I’m doing something right when everybody’s fighting to describe my political ideology.

I’m on my feet tonight to speak on this motion, and it’s always difficult to talk to motions involving closure. I think in an ideal world and an ideal place, we’d prefer not to have to do this.

You know, it saddens me. I’m a simple guy from a simple place. People watch TV and say, “Hey, you know, I just don’t understand. You’ve got important business to be done in the House, and it seems that every time someone is on their feet wanting to do something, somebody on the other side of the House is moving adjournment”—paradoxically, often on bills that they support, like Bill 70, for example. It’s just bizarre what’s happening there.

As a member of the social policy committee—and, Speaker, you also served with distinction on that committee and will recall with some considerable fondness as I do, I’m sure, the wonderful experience we had listening to some 142 or 143 presentations from stakeholder groups all across this province. They came before the committee, as was the direction of this House, to express, I think it would be fair to say, without reservation, their comments, both positive and negative, as related to the bill.

As I recall, and I’m sure your recollection will be similar, Mr Speaker, most of those who came before the social policy committee were, broadly speaking, quite supportive of the direction the government was deciding to take. They said with varying degrees of passion and articulation that they thought the direction, finally getting on top of issues related to the critical need for long-term energy sector planning, was appropriate. They lamented, virtually every presenter, the cumulative failure of the previous system.

I don’t want to belittle any of the efforts. It’s a very tough sector. The previous government tried its best to

get it right and, as history will record, had some difficulties, not necessarily all of their own making. We’ll even concede that.

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But notwithstanding that, there was a broad-based and very real sense that we needed to be moving forward and out of the sinkhole we were falling into related to—what?—a \$33-billion-plus stranded debt; no conservation plan to speak of; supply side in chaos. Certainly, there was very little emphasis on alternative approaches with green energy, something that virtually every one of the so-called green alternate groups that came before our committee said they were happy to see that our government was intent upon changing. We heard comments about the importance of being rid of the coal-fired plants, which the Ontario Medical Association tells us are directly responsible for some 1,900 deaths each year in the province.

And I know from previous debates, and just quickly glancing through Hansard, there have been some—let’s see, two, four, six, eight, 10, 12, 27, 43, 56 members, who have already stood in their place and spoken to this bill. Fifty seven members have had their chance to—

**Mr Baird:** What about me? I haven’t spoken yet.

**Mr McMeekin:** Well, I’m sure you’ll have a chance to speak.

**Mr Baird:** Norm hasn’t spoken yet.

**Mr McMeekin:** You know, some members opposite insist on too strict a paradox, to insist that we achieve what they could never do. I said at the outset that it’s never easy to talk about closure, and I want to add to that, that if this place worked a little bit better, if there was some track record of willingness to actually sit in this place and have debate, rather than motion after motion to adjourn, in all likelihood, we wouldn’t be where we are.

But we’ve had a lot of discussion; we’ve had some seven days, I think, between tours of various energy sector plants and hearing from public deputations about what needs to happen. We heard from farmers, including the Christian farmers group, who said the direction of the government was really good, and they were quite keen to see it happen. We heard from all kinds of people about diversifying our energy stream. We heard from people talking about smart meters and some of the new technologies that are in place. In fact, I dare say, I don’t think there was much that could be said that wasn’t said in the presentations that we were privileged to hear, and in the debate which has quite properly occurred in this House.

So we’re anxious to get on with this. There’s not a moment to waste. We’ve done enough of wasting time on these important issues. There is broad-based public support for the direction that the government is intent on moving in. We’re very sincere in our desire to make sure that the new energy policy that evolves in Ontario will, in fact, have a threefold focus on energy conservation, enhanced supply, reliable, sustainable and diverse energy supply, and a real commitment to the alternative energy sector.

So let's get on with it. Time is waiting. There's not a moment to waste. We've had lots of debate. We've had lots of input, more so, I dare say, than I think the previous government allowed on any single piece of legislation introduced in the eight years they were in power.

So with that, I'll take my seat, content that we've done what we can with respect to this issue, and confident that this House will embrace this and vote this evening to move forward with an energy policy that makes sense for all the people of Ontario.

**Mr Baird:** On a point of order, Mr Speaker.

**The Acting Speaker:** Point of order, member for Nepean-Carleton.

*Interjection.*

**Mr Baird:** Carleton, not Ottawa-West Nepean. Nepean-Carleton.

Our next speaker isn't here, so I guess we'll miss the rotation, but we'll get the time back after.

**The Acting Speaker:** Further debate?

**Mr Wilkinson:** It strikes me as odd, as someone new to this House, that we are dealing tonight with the issue of time allocation. I say to the House leader and the government: congratulations. We were elected to govern. There are some people in this House who don't want us to succeed, and I know why. It's because their parties are the ones that have a history of causing the problems that we're dealing with tonight.

What I find passing strange, as the member for Nepean-Carleton said, is that they don't really have people here ready to speak. Isn't that amazing? I heard them get on their high horse today about the fact that we were stopping democracy, that somehow we were using some guillotine. Well, if it's that important, why aren't you here? But they're not here. I think they're not here because they don't care, and I know they don't care. The reason they don't care is they're embarrassed. The people of Ontario are embarrassed—

**Mr Baird:** On a point of order, Speaker: There are numerous opposition members here to debate. Some are meeting with representative of the automobile manufacturers' association, which is an event being hosted by the Liberal member for Oakville.

**The Acting Speaker:** I would concur. I would ask the member for Perth-Middlesex not to refer to the absence of any individual member.

**Mr Wilkinson:** I might admit that I was with the Canadian Vehicle Manufacturers' Association, and you know what I did? I went to that event. It was scheduled. I showed up on time. That has nothing to do with House duty, but I was there when I was invited. That's where I was. Some people may have a different sense of what is the right time to be here. I think the people who pay us to be here expect us to be in seats when we're supposed to be here.

**Mr Baird:** On a point of order, Speaker: The member for Perth-Middlesex is clearly trying to do what he can't do under the standing orders, by making reference to the importance of people being here and that there are some people who are not here. There are many people meeting

with representatives of Ontario's paralegals who are in the building this evening listening to the legislative concerns of members of the Ontario Legislature. I guess they're being ignored by this member.

**The Acting Speaker:** Thank you very much for your assistance, but I would again just ask the member for Perth-Middlesex not to make reference to the absence of any individual member.

**Mr Tony Ruprecht (Davenport):** On a point of order, Speaker—

**The Acting Speaker:** Is this the same point of order?

**Mr Ruprecht:** No. If Mr Baird would listen, I would appreciate that, but I heard very distinctly, I listened very carefully to this member speak. He did not mention anyone by name.

**Mr Baird:** He's challenging the Chair.

**Mr Ruprecht:** I'm not challenging the Chair—

**Mr Baird:** Kick him out.

**The Acting Speaker:** Will the member please take his seat. I've already ruled on the point of order, and I would again recognize the member for Perth-Middlesex.

**Mr Wilkinson:** Mr Speaker, I appreciate the wisdom. You have much more experience in this place than I do, and far be it from me to cross any of the time-honoured traditions of this place and actually bring anything into disrepute in this House. I know Hansard will keep a record of what I said, and the record will speak for itself.

There are two issues that I have: hypocrisy and defeatism. Personally, I find it passing strange and quite interesting to think that in an issue where we are looking at the economic future of this province—something I might add that the Canadian Vehicle Manufacturers' Association is very, very concerned about—that we're in this House tonight looking at the question of whether or not this government will govern. We were elected to govern. We didn't get the cards that we expected to be dealt to us, because some people in this province decided that fiscal transparency and accountability was not required. They didn't think that was required. That's why, I say to the member for Trinity-Spadina, we've introduced a law which I know that you're in favour of, that we should have fiscal transparency and accountability. But I don't think we passed that bill. Why? Because we have an opposition in this place who's decided to be obstructionist. Why? I believe that they're being obstructionist for a very simple reason: They don't want to talk about the history of this place, the history of the fact that we broke up Hydro and lost that capacity to match supply and demand. And I know, Bill, that your patience may be tried by some of the members within this House. I'm more than happy to address it at any time.

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Now, when you look under defeatism, what you find is a certain resignation. I give the example of the coal-fired plants. The member from Haldimand-Norfolk, whom I respect greatly, is saying that it's impossible for us to do what we're doing, and I can understand that, from the riding where you come from. But I'm a



businessperson. Business rises to the challenge. If we set those correct economic expectations, business will find a place. The businesses that I've been talking about are not old-style businesses that are defeatist. No, no, it's the ones that are visionary, the ones that know we need to create energy in this province, and in a sustainable way, that know it's not acceptable to burn coal and have mercury going up into the environment, even if it's 1.3 cents. It may be cheap, but the price is what our children and our grandchildren will pay because our natural environment has been destroyed by this.

How can we say to our American colleagues in the Ohio valley, "Stop burning that dirty coal"? They're not using clean coal. They're talking about using clean coal. I saw the eagle ad on American television about how we all believe in clean coal. But that's not what they're burning down there, folks. The mercury is coming out of those smokestacks.

But business could fix that problem. Businesses, if they're challenged, will rise to that occasion. I'm sure of it. There are those that are of the old style, the old thinking that it can't be done, it's too expensive. But the innovators, that's what we want in this province. That's why we want a workforce that is committed. I know the member for Trinity-Spadina believes in an innovative workforce. Those are where the good-paying jobs are.

When we look at the question of Bill 100 and we deal with the issue of why we are looking at time allocation, it is simply this: As a new member, I'm sick and tired of this mindset that we are surrounded by—to me, on my right and on my extreme right—that we have a question of hypocrisy, that somehow they're not responsible for the problems we've inherited. And let me assure you, Mr Speaker, we are. I remember a certain party running for re-election, saying, "Oh, we can cap electricity rates. It's not more than 4.3." That was wrong. I wouldn't say that was a falsehood. But I can tell you, after the fact, it was wrong. We've had to deal with that problem. People have said, "Of course"—

*Interjection.*

**Mr Wilkinson:** The member from Sault Ste Marie is absolutely correct on this point. That hypocrisy is pretty deep. They're piling it higher and higher in this place.

So are we mired in this by the opposition or do we lead? We were elected to govern. There has been plenty of time for debate. Now we're forced to debate the issue, despite the fact—and I'm so happy that so many members are here tonight, not all members, but I'm so happy that so many members are here. I know the people back home are tuned into this debate because they're saying, "Finally, the McGuinty government is saying, 'We've got to move ahead on this electricity file. It's time-sensitive. We don't want the lights to go off in this province.'" That would kill business, and we've had a bit of that.

What we have to do is go beyond hypocrisy and beyond the defeatism, that idea that our business can't rise to the challenge. I know that it can. As the parliamentary assistant to the Ministry of the Environment, I've had many businesses come to me, showing me new

technologies, which I'm sure the member from Haldimand-Norfolk would embrace, that look to the future about how we can have clean energy.

I spoke to the member from Nepean-Carleton. I talked about North Middlesex in my riding, a green community, where they're going to take cattle manure—can you believe this, Mr Speaker?—using anaerobic digestion. They're going to get three things out of that: dry, odourless, pathogen-free fertilizer to be spread in the fields; clean, pathogen-free water; and methane, which, I might add, burns a lot cleaner than coal. There's no mercury in methane. It's a natural product. It's not something that we dig out of the ground and spend all this energy and all this other pollution to dig it out of the ground. It's right there. We eat, we have cattle; it's a symbiotic relationship. It's wonderful. That's the future.

We have to set the conditions as a government to challenge business, to challenge our farmers to come to the table to help us solve this problem. That's what we're all about. We're not going wait. We can't wait for the people who are mired in hypocrisy and defeatism. We're going to move, and we're going to move tonight and I applaud the House leader for doing this.

**The Acting Speaker:** Further debate on the motion?

**Mr Rosario Marchese (Trinity-Spadina):** It's good to have this opportunity to speak. I want to welcome the viewers to this political channel; it's 7:25 and we are on live. Don't turn off your television sets, keep the power on, because I think you're very interested in hypocrisy and the issues of hypocrisy. The previous member spoke to that. It's important, because—

**The Acting Speaker:** The member knows full well that that is unparliamentary language, and I would ask him to withdraw the word "hypocrisy."

**Mr Marchese:** I will withdraw it, Speaker, but the previous member mentioned the word "hypocrisy" three or four times. The context of his remarks were OK and mine were not? Is that what you're saying? I just ask you.

**The Acting Speaker:** I appreciate your willingness to withdraw the word. It would be wrong in any context.

**Mr Marchese:** OK. No problemo. I'm very capable of finding different words to say what I want to say. Speaking to this notion that people say one thing and do another, is that OK with you, Speaker? The previous member, my good buddy from Perth-Middlesex, was talking about—is it OK, Speaker, if I say people who might be hypocritical, or could be? Is that OK?

**The Acting Speaker:** I would ask you not to use the word "hypocrisy" or "hypocritical."

**Mr Marchese:** That notion reminds me of what Premier McGuinty, then Liberal leader, used to say. I want to put it on the record, because I don't have much time. So many people would like to say a few words, and I just want to say mine.

In 2001, on October 31, an article said, "Throughout Ontario's electricity restructuring process, Dalton McGuinty and the Ontario Liberals have been consistent supporters of the move to open an electricity market in Ontario." In 2002, the same man, leader of the then

opposition party, now Premier, said, "The market is dead."

*Interjection.*

**Mr Marchese:** No, this is McGuinty. No, no, former mayor of Durham, it's not that.

He said the market was dead. In 2001, they were consistent supporters of the private sector getting involved. In 2002, he says, "No, no, we're not for that any more. The market is dead"—not because the Tories killed it but because McGuinty changed his mind. In 2003, McGuinty says the market is going to get back into the game, because he's a consistent supporter of the private sector getting involved. You understand what I'm trying to get at. It's what a person says at one time and then another and then another. It doesn't matter what time it is, because the Liberal Party can, at any given time, change its mind, and it does. In his mind, it's OK if you do that. In your mind, it's OK if you do that, because when Liberals change their position back and forth, it's consistent.

That's the problem I've got with Liberal—not Liberal principles, because they have none—with Liberal positioning. They're not ideological. They're not. It's Liberal positioning. Their position can go back and forth at any given time, and it does. That's the problem I've got with them.

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In the hearings, we heard that a number of individuals were proposing up to 4,400 megawatts of green power, but the government only allows for 300 megawatts of power to be produced. We're talking about the use of renewables. We're talking about individuals who are very interested in creating power out of renewables, which we say is a good thing and which the government claims is a good thing. But they will only allow a maximum of 300 megawatts of power to be used. Why is that?

The minister, indeed, was there—not at some of the meetings. He was in Windsor, because that's his home town. Some of the other members were part of that committee and they heard what I heard, yet not one member of that committee said, "If we can produce 4,400 megawatts of power through renewables, why aren't we approving them?"

**Mr McMeekin:** I said that.

**Mr Marchese:** Did you?

**Mr McMeekin:** You were there.

**Mr Marchese:** I've got to apologize to my friend from Ancaster-Dundas-Flamborough-Aldershot. I apologize to him, because he and I have had some discussions and indeed in some areas he and I have agreed. That is true.

The question is, other than the member I just referred to, were there any other members of that committee who thought it was a good idea?

**Mr Ruprecht:** Keep going. Keep apologizing to them.

**Mr Marchese:** No, Tony, something is very wrong if only one Liberal member from that committee and that government, including you, Tony Ruprecht, can see the

logic of producing green power if it's available and if there are interested people. Don't raise your eyelids, Tony. This is an obvious point. It ought to be obvious to you and to your members, because you guys claim that you are for green power.

**Mr Ruprecht:** Yes, we are. We are.

**Mr Marchese:** Tony Ruprecht says, "We are" in a very mechanical, seal-like way: "We are. We are." Well, if you are, what efforts are you making, Tony Ruprecht, as an individual in this House?

**Mrs Julia Munro (York North):** On a point of order, Mr Speaker: I just want to remind members of the House that it is appropriate for them to speak about each other as members of a particular riding and not by their personal names.

**The Acting Speaker:** I want to thank the member for pointing out that fact, and I would encourage the member for Trinity-Spadina to do so.

**Mr Ruprecht:** On a point of order, Mr Speaker: If the member from Trinity-Spadina would only drive by the CNE—and he drives by there many times; he just doesn't want to admit it right now—he will see a great big turbine, and—

**The Acting Speaker:** I don't think that's a point of order. I'll return to the member for Trinity-Spadina.

**Mr Marchese:** Pretty soon, you'll think that the member from Davenport, Tony Ruprecht, built that wind power all by his little self. He'll have you believe that he's a proponent of windmills and that Tony Ruprecht, the member from Davenport, is pushing his government for greater wind power through windmills. Get up, Tony Ruprecht from Davenport, and tell us how strongly supportive you are of green power. Get out there, Tony, and show us. Don't just sit back and tell us that you love wind power and that you produced it over there in my riding, close to yours as well, and that somehow you're a big supporter. Tell me what you're doing. Tell me what you are doing in caucus to support green power, Tony Ruprecht, the member from Davenport. Get up and do your two minutes. Please allow him to do his two minutes.

You're doing nothing. When it comes to conservation, you're doing absolutely nothing. Little is not much. Little is next to nothing, and that's what you're doing with conservation. The Pembina report says we could reduce our consumption through conservation efficiency and green power, close to 60% or 70% if we committed ourselves to it. Do you think Tony Ruprecht, the member from Davenport, is speaking to that issue?

**Mr Ruprecht:** For sure we are.

**Mr Marchese:** For sure he is. That's why it's in your bill, eh, member from Davenport, Tony Ruprecht?

I don't want to take too much time except to put that on the record.

I oppose strangulation motions, always did, as did the Liberals when they were in power. I oppose this bill because when the private sector gets involved with the stock market, rates are going to shoot right up, because they're in there to make money.



I want Tony Ruprecht, the member from Davenport, to stand up and tell me how he's convinced Mr Duncan there, the Minister of Energy, to produce more than 300 megawatts of green power. Stand up, Tony, and tell us what you're doing.

**The Acting Speaker:** Further debate on the motion?

**Mr Lorenzo Berardinetti (Scarborough Southwest):**

What we have in front of us today is a government notice of motion. We heard earlier from the House leader as he spoke to the fact that this is one of the very few occasions that this government, after being in power for over a year now, has brought forward a notice of motion of this nature. We're trying to pass a bill, Bill 100, An Act to amend the Electricity Act—

*Interjections.*

**The Acting Speaker:** I assume the member for Nepean-Carleton wants to remain for the remainder of the evening's debate. I would ask him to come to order. I return to the member from Scarborough Southwest.

**Mr Berardinetti:** I think this is the second time we've used this government notice of motion, which is much less than previous governments have.

Bill 100, entitled An Act to amend the Electricity Act, 1998, and the Ontario Energy Board Act, 1998, and to make consequential amendments to other Acts, was introduced for first reading in this House on June 15, 2004. We're now speaking on this bill and have been speaking on it for the past few months. Today is November 17. This bill needs to get passage, be brought into law and implemented so we can begin restructuring the energy system here in Ontario.

The purpose of the bill is straightforward. It says right in the explanatory note, "The purpose of the bill is to restructure Ontario's electricity sector, promote the expansion of electricity supply and capacity, including from alternative and renewable energy sources, facilitate load management and electricity demand management, encourage electricity conservation and the efficient use of electricity and regulate prices in parts of the electricity sector."

To me, this is straightforward. What we are attempting to do as a government, and what we ran on in our platform, is to provide clean, affordable energy to the people of Ontario. This act does that. We have had opportunity to debate it several times. It's been before this House and has been discussed to quite an extent. Up to this point we haven't had a chance to complete our debate because at various times the opposition decided to ring bells and try to adjourn the debate or adjourn the House.

Our concern at this point is that if we don't move forward, this bill will continue to sit. This Legislature has a great deal of business that we're trying to deal with. We're not doing this with all our other bills and proposed legislation. A number of pieces of legislation are before this House and are being debated. We are giving the opposition time to speak on all sorts of bills, bills that Minister Watson has introduced regarding amendments to the Consumer Protection Act, bills that have been introduced by several other ministers that have not

passed second reading because the opposition continues to withhold that.

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I don't think the people of Ontario sent the Liberal government to Queen's Park to govern and to fight on issues that I consider to be technical issues and to not deal with substantive issues.

The substantive issue before us is electricity. We had a power outage a couple of years ago. We've had problems with our electricity supply. We've had problems with the pollution created by our coal-generating plants. The question is, why? We are trying to deal with those problems and I think the people of Ontario want us to deal with these problems.

The act in front of us today addresses those issues in a clear, plain, concrete fashion that I think makes a lot of sense. We want to move. We were elected to implement change. Interestingly enough, whenever we bring forward a bill that provides some of that change, the opposition will try stall tactics, will attempt to ring bells and obstruct us from proceeding with our agenda. I myself, and I am sure other members of the Liberal government, feel frustrated by that.

We are not going to try to govern like the previous Conservative or NDP governments did, which was by implementing time allocation on several bills. This is being done very rarely, and it is being done on something that is very, very important to the people of Ontario.

When I campaigned and knocked on doors just over a year ago, people said to me that they wanted a good education system, a good health system, an electricity system that worked, and they wanted a clean environment. This government is attempting to address those issues. We are bringing forward legislation to deal with education. We have done the same with health care, with the environment, and now this in front of us today is doing the same thing. I support what the minister and House leader is trying to do, and I hope we move on and get this into law.

**Mr Norm Miller (Parry Sound-Muskoka):** I am very pleased to join the debate tonight on Bill 100 and have an opportunity to speak about that this evening. We're really talking about a closure motion brought in by the government, who, when they were in opposition, were very much against closure motions. They've only passed about two bills, and on both the bills that I am aware of in recent days they've used a closure motion to end the debate.

I would like to refer to some of the quotes from when they were in opposition, what they said about time allocation motions. For example, Mike Colle, from Eglinton-Lawrence, on December 4, 2002:

"I'm also saddened to stand up again and speak to another motion by this government to shut down debate.... They just ram this through like they've rammed everything else through.

"We know now why they like these closure motions. Because they don't want the public to know what they're doing."

What's different here? I don't quite get that. Now they're the government, and now they're shutting down debate and ramming legislation through—a broken promise. One of their very significant energy promises was that they were going to maintain the price of electricity at 4.3 cents a kilowatt hour. That was one of the 231 promises they made in the provincial election. I don't think the price of electricity is 4.3 cents per kilowatt hour now. What is it? I think it's 5.7 cents beyond 750 kilowatt hours now. That's about a 27% increase in price. That seems to be a favourite number. They've had a 27% increase in income tax; they called it the health tax. That's another broken promise. And there's a 27% increase in hydro prices—another broken promise.

What else did they say? David Caplan, November 21, 2001:

"I usually start off my remarks by saying it's a pleasure to speak to something on behalf of the people of Don Valley East, but it really isn't. This is yet another closure motion, a gag order on the Legislature. How could it ever be a pleasure to speak to that, when that's the normal course of action and when this Legislature is shut down for the very purpose it was meant for, which was to discuss important matters?"

That was the member for Don Valley East, the deputy House leader for the government which has now brought in this time allocation motion. So obviously we're seeing a flip-flop. We're seeing a totally different story here now that they're the government. I don't know what happened. It's amazing, the transformation that's happened.

What did Michael Gravelle, the member from Thunder Bay-Superior North, say on November 19, 2001? There seems to be no shortage of quotes:

"It's just stunning that the way they choose to deal with it at the end of the day is to put time allocation on debate. It's wrong, I think everybody knows it's wrong and I think even the government members themselves know that it's the wrong way to approach it.

"There will be no public hearings at all, and that is disgraceful. This is unbelievable. Once again we're seeing this kind of behaviour, and I suspect we'll see it again."

It's amazing the way their tune changes when they go from opposition to government, and now they've brought in this time allocation for the second time in a few short weeks, one of the few bills this government has had the ability to get passed. They've been stalled here and not getting much done at all, and now we see this time allocation motion. I think it's showing how this government flip-flops from when they were in opposition to when they are in government.

**Mr Brad Duguid (Scarborough Centre):** I want to enter into this debate for a few brief minutes. I just wonder how the former government, the opposition party, can be talking as though they don't support this kind of a motion, when time after time, each and every member over there voted in favour of doing this on just about every piece of legislation that came through this House.

We're not doing that. We're not doing it on every single piece of legislation that we have come forward, but we do have to get on with business. We do have to make sure that we get this and other important legislation through the House. From time to time, we're going to have to do this. We don't feel bad about doing that; we'd rather not. If we had the co-operation of the opposition, we wouldn't have to. But there are times when we have to start working to get this stuff through.

We have a lot of important things to do in this session, as we change the education system around and completely transform it from the days when the previous government was destroying education. We're getting it fixed up. We're fixing up those schools. We're fixing up those classrooms. We've got to move on with that agenda, and to do that, we've got to move our legislation through.

Earlier today, we talked about the greenbelt. That's something that we all support, I think—well, perhaps not the opposition. In fact, I'd be surprised if they do. They probably don't support it, but everybody else here and everybody outside of this place, by and large, does, unless they have a vested interest. That's the kind of stuff that we've got to try to get through, but we're not going to get it if the opposition keeps ringing bells, if the opposition keeps playing games.

It's very important that we move forward with those kinds of initiatives. They're the kinds of things that are changing this province around. They're the kinds of things that are bringing the change that we were all elected to bring to this province. We're not going to let an opposition that wants to hold everything up for no reason, other than just to play opposition games—we're not going to let them rule this place. We'll let them have their say; there's no question about that. They're entitled to it. As the member from Nepean said, they're duly elected to come here and have their say.

**Hon Jim Watson (Minister of Consumer and Business Services):** The junior member from Nepean.

**Mr Duguid:** Sorry, the junior member from Nepean, as he indicated. He's entitled to have his say, and we're not going to deny that. But there comes a time when we have to get on with things and get this business through the House so that we can work in the interest of our constituents.

I thank you for the few minutes that I've had an opportunity to speak.

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**Mr Baird:** On a point of order, Mr Speaker: I ask for unanimous consent for this House to hear the member for Etobicoke Centre next.

**The Acting Speaker:** Is there unanimous consent? I heard a no.

Further debate?

**Mrs Munro:** I want to take the time I have to talk about something I think is endemic in much of the legislation that we are asked to deal with in this House; that is, the question of ministerial oversight. When we look at Bill 100, we see many of the most important decisions that will be made are to be done at the dis-



cretion—they are going to be prescribed by regulation, a question of appointments, designation of consumer classes, situational pricing and conditions of licensing. These are all subject to government direction. To translate that, it really means that the minister may issue directives. He may issue directives that deal with the province-wide electricity mix, the phasing out of coal, conservation targets, and the increase in generation from alternative and renewable sources. Now, there may be those who see all of these things, by themselves, as particularly valuable and indicative of the need to move forward.

I think it is more important to look at the question of the concentration of power. When you look at the details of Bill 100, it is very clear that there is that overriding ministerial oversight. Now, to those who are not aware of other pieces of legislation, this might look to be something that is unique to this particular bill. I think it's really important for people to understand that, in fact, there are many examples of this government's legislation that provide for that kind of ministerial oversight.

*Interjection.*

**Mrs Munro:** There are so many examples where we have government then, in this government, making decisions for the individual and for particular sectors.

*Interjections.*

**Mrs Munro:** My colleagues remind me of such things as junk food in the schools; making decisions on what defines junk food. I would like to just draw people's attention to examples such as the Planning Act. When you look at Bill 26, there you have the minister able to inject himself or herself into the planning process by the declaration of a provincial interest. It is that kind of thing, then, that undermines what has existed in this province for over 100 years, a quasi-judicial body, the Ontario Municipal Board, which can simply be bypassed by a quick trip to the minister's office.

There are a number of examples in various ministries: certainly looking at the undermining in Bill 8 of hospital boards, local community authority and the volunteers who provide the time and expertise to their communities to serve on hospital boards. There are just a great number of examples, including this bill, that all serve to demonstrate that concentration of power in an individual minister's office or the cabinet office.

One of the concerns that creates for many is the fact that that's done in secret; there is no public process in a decision by a minister or by cabinet. So I think we need to see this bill in that context, as well as that other members have chosen to identify as significant parts of the bill that create problems for them.

**Mr Gilles Bisson (Timmins-James Bay):** There are a couple of things that I want to put on the record. I didn't actually get an opportunity to speak on this bill at second reading. I'm one of the members not being given an opportunity at second reading, and I've got some pretty serious concerns that I want to put on the record.

I can take my time and talk about the duplicity of the Liberals. We all know they were in favour of privatiz-

ation, they were against and then they were in favour again. I can take 30 minutes and talk about that, but I won't. What I want to talk about is the effect this policy is going to have on some of the people within the constituency of Timmins-James Bay.

In my riding, I happen to have some of the largest power users in the province of Ontario. In fact, the largest customer of Ontario Hydro at this point is in the city of Timmins; it's Falconbridge. They operate a mine, a smelter, a concentrator and a refinery. The largest single customer for hydro in the province is in my riding, as well as a whole bunch of other employers, such as Tembec, that operates the pulp and paper mill, the old Spruce Falls, up in Kapuskasing, which includes a TMP plant. For those of you who don't know what TMP is, it's thermal mechanical pulp, that uses a large amount of electricity in order to pulp the logs into fibre that you can make paper from.

Why am I saying that? Because in discussions I've had with all of these companies, they are absolutely worried to death about what this bill is going to mean to hydro rates for them as employers in our communities. For example, the old Spruce Falls mill up in Kapuskasing—it's pretty clear: We know there's increasing pressure of costs for that particular company. We know fibre costs are becoming more and more expensive as time goes on. We know the American dollar is dropping; as a result, our exports into the United States—because of a high Canadian dollar due to the low American dollar, it's affecting the bottom line when it comes to exporters, as well as all the other ancillary issues that have to do with costs for this particular mill when you relate them to price. It's really making it tough. For one of the first times in Spruce Falls's recent history, they're in a position where they're in a negative cash flow position, and they're really worried.

For those people who don't know what I'm talking about, it means they ain't making money. They think they are able to weather the storm, but when I sit down and talk to people who work in the mill and I talk to the management people—and I've had this discussion with Frank Dottori, who is the chairman of Tembec, along with Terry Skiffington, who is the manager at the Tembec mill—they are really worried. They're saying, "Listen, the government is not taking seriously the report that said that hydro prices, according to industry experts"—not Gilles Bisson, NDP member from Timmins-James Bay, not Howard Hampton, the leader of the New Democratic Party of Ontario, but independent experts who know quite a bit about the issue of price. They're saying that electricity prices for sure are going to go up; it's a question of how much and it's predicted that prices can go up from 30% to over 50% by the year 2007, if I remember the report correctly. They're saying, "If our electricity prices go up to that point, it's a job-killer. We're going to be in a position where we don't know if we're going to be able to operate that plant."

Let me put that into perspective for you. Kimberly-Clark's old plant, Spruce Falls, that's now Tembec in Kapuskasing, is the largest employer in town. If fact, if



you don't have Spruce Falls, you haven't got an employer in town. Basically, the town of Kapuskasing rises and falls on the economic fortunes of Tembec's mill in Kapuskasing. I'm not saying at this point—and I don't want to panic people in the town of Kapuskasing—that the mill is going to close; we're not at that point yet. But if electricity prices keep on going the way they are predicted to go under this privatization deal that you've put forward, you're putting in jeopardy the jobs of the people of Kapuskasing, Val Rita, Moonbeam and all of the other communities—the people who work in that mill. We've probably got around 700 to 800 people, all told, who work in the mill itself, as well as all the people who work in the bush, as far as the Gordon Cosens Forest, who basically are employed bringing timber to the mill. You are virtually putting in jeopardy over 1,000 jobs in that community, and that's only one employer.

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I go down the road to Timmins, and in the case of Timmins we have Falconbridge and they're saying, "If the price of electricity goes up 30% to 50%, for sure it's going to put us in a bad spot."

Let's show you how dangerous this is. We now have the Chinese government, under Minmetals—Minmetals is a large corporation that is owned by the Chinese government and is now actively looking at buying out Noranda in Canada. It happens to be that Falconbridge is owned by Noranda. My good friend and federal colleague Charlie Angus, the federal member for Timmins-James Bay, has been running the charge on this particular issue, ringing the warning bells with the federal government that we have to make sure there are some conditions put in place so that if Minmetals buys out Noranda, we don't end up in a situation where ore is mined in the city of Timmins and the processing of that ore is done somewhere outside of Ontario, either in the province of Quebec or brought all the way to China for them to process into the finished product they need to finish it into.

You say I am being alarmist, but take a look what is going on. They are looking at a potential increase of 30% to over 50% in the price of power. They are the largest—I repeat, the largest—customer Ontario Hydro has in the province of Ontario. In talking to the mine management and to the people who run the concentrated refinery, I think electricity makes up over 20% of their overall costs. You don't have to be a rocket scientist to figure out that if the price goes up by 50%, they're having to make decisions about: Do they run a refinery; can they afford to run a refinery; should they move the concentrate out of the city of Timmins, bypass the smelter and the refinery and do that activity in the province of Quebec—where, by the way, there is a public utility called Hydro-Québec that sells electricity at a fraction of the cost of what it is now costing in the province of Ontario. Why? Because they do have it under a public system. They've made some very sound decisions about the development of hydroelectric projects on James Bay and in other places

over the past number of years and are in a position to sell electricity at a lower cost.

There used to be a time in Ontario when we said that hydro is one of the basic infrastructures we have to give our industry a competitive edge. We went through the debate under the time of Adam Beck and others that we would move electricity from the private sector into the public because we needed to make sure we operated hydro as a corporation at cost in order to give industry an opportunity to compete with their southern neighbours in the United States. We made some choices—and, I think, sound choices—about the responsibility of the state when it comes to making sure we're able to run an electricity system in a public system that is able to be sold at cost so you give your industry an advantage to operate within your jurisdiction.

You just have to look at all the other jurisdictions. Look at what happened in Alberta. The province of Alberta has gone down this way, electricity prices have gone through the roof, and this in a province that basically is an energy province. It's not as if they have no natural gas to run cogeneration plants. It's not as if they're without the ability to generate hydroelectricity by way of rivers. They have all of the natural assets to generate electricity at a far cheaper rate than most provinces. They used to have cheap electricity; Ralph Klein privatized it, and now for a period of time the province has been subsidizing the price of electricity in order to allow business not to lose its position within the Canadian economy. It makes no sense. Why should the public purse subsidize the price of electricity?

That's what you're going to end up having to do if electricity prices go up 30% to 50%. Imagine the day that electricity prices go up 30% to 50% and companies like Tembec, Falconbridge, and the list goes on, say, "We're about to close our plants." What is the province of Ontario going to have to do? They're either going to have to subsidize the price of electricity or they're going to have to subsidize them in some other way in order to reduce their costs. Do you reduce stumpage costs? Do you reduce licensing? Do you reduce taxes? Somewhere, the province is going to have to budge in order to be able to afford industry an ability to stay in business. I say to the government, you're going down the wrong path. This has been tried elsewhere, and it doesn't work.

The other thing I want to put on the record is in regard to this debate. I was in the House a little bit earlier when the debate started. I was in my office preparing notes from our House leaders-whips' meetings we had this afternoon in regard to a deal that was reached on how we move legislation through this House. I just want to say to new members, give your heads a shake. Members in this House who are newly elected come in here and, holier-than-thou, are preaching to us about how the opposition is not being reasonable, not allowing the government to pass legislation through the House, and somehow we're being extremely oppositional. You have a selective memory.



First of all, last spring this House passed all kinds of legislation by way of arrangements that were made between the opposition parties and the government, and we were not being oppositional. Yes, there are bills that we don't agree with, but it is our right as an opposition to oppose, and on the question of hydroelectricity, you darned well know New Democrats will oppose you.

For you guys to get up in this House and say, "Oh, we won the election. We've got to do what we were mandated to do. Oh, my Lord, you're holding us up"—you darned well knew what New Democrats were going to say on electricity. We were going to say no to private power and we were going to be oppositional.

The House came back this fall and, for whatever reason, the government House leader decided to call the House for midnight sittings and, rightfully so, the opposition said no. We held it up—no question—for a period of a week, but it was our House leader, Peter Kormos, and the House leader for the Tories, John Baird, who went to the government and brought them to their senses. We were able to broker a deal for what happened in this House this week and what's going to happen next week.

I am shocked by the attitude of some of the government members after what was a very positive meeting this afternoon at the House leaders' meeting where the three House leaders and the three whips of all three parties were able to sit down and agree on how legislation goes through the House, and we did that by way of co-operation.

**Mrs Donna H. Cansfield (Etobicoke Centre):** On a point of order, Mr Speaker: Are we not speaking about Bill 100?

**The Acting Speaker:** We are speaking about time allocation on Bill 100. I return to the member from Timmins-James Bay.

**Mr Bisson:** I rest my point. They don't even know that we're debating time allocation. That's why I'm speaking to the issue of time allocation and the actual Bill 100. If you knew the rules in this House and you paid attention and you'd been here a little longer, you'd know.

So yes, I'm insulted by some of the speeches that members have put in this House, because they're not recognizing the reality of the real will on the part of the opposition to work with the government where necessary and, yes, to oppose the government when it needs to be done. I think government members need to be lectured by the government House leader. I am one of the people who has to sit at House leaders' meetings and I, quite frankly, am somewhat upset that you would come into this House and all of a sudden start talking about how we are extremely oppositional.

All last spring, you guys got deals on how you passed legislation through. The opposition worked with the government. Yes, sometimes we opposed you, but that's the role of the opposition. Yes, we will oppose you at times, but by and large, 70% to 80% of the time we're able to work accommodations on bills.

I say to government members across the way, I'd watch my rhetoric tonight. If you really want an oppo-

sition party and you really want to peeve off an opposition whip, you're doing a pretty darned good job, and it's not helping the process whatsoever. I suggest that your government House leader and whip have a chat with people in the backbench.

The last part of the comment I want to make—

*Applause.*

**Mr Bisson:** Thank you very much.

**Mr Garfield Dunlop (Simcoe North):** Does that mean you're not done?

**Mr Bisson:** No, I was just working up a head of steam.

It just annoys me because we hear this speech from new members on a number of occasions. Really, they need to understand that the opposition has a role to play and that we're going to play that role in an effective manner but also by being responsible.

I say to the government, at this point I want to leave some time on the clock for other members to speak, but I'm just saying, this bill that you're time-allocating, you're wrong to time-allocate it, number one. Number two, you should not pass this bill at the end of the day; it's a job-killer.

**The Acting Speaker:** Further debate on the motion?

Mr Duncan has moved government notice of motion number 240.

Is it the pleasure of the House that the motion carry?

All in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2009 to 2019.*

**The Acting Speaker:** Will all those in favour of the motion please rise one at a time and be counted by the Clerk?

#### Ayes

Arthurs, Wayne	Duncan, Dwight	Mossop, Jennifer F.
Berardinetti, Lorenzo	Flynn, Kevin Daniel	Oraziotti, David
Broten, Laurel C.	Fonseca, Peter	Ramsay, David
Cansfield, Donna H.	Gerretsen, John	Rinaldi, Lou
Chambers, Mary Anne V.	Hoy, Pat	Ruprecht, Tony
Colle, Mike	Jeffrey, Linda	Watson, Jim
Crozier, Bruce	Kular, Kuldeep	Wilkinson, John
Delaney, Bob	Marsales, Judy	Wynne, Kathleen O.
Dhillon, Vic	McMeekin, Ted	
Duguid, Brad	McNeely, Phil	

**The Acting Speaker:** All those opposed to the motion will please rise one at a time and be counted by the Clerk.

#### Nays

Baird, John R.	Horwath, Andrea	Munro, Julia
Barrett, Toby	Kormos, Peter	O'Toole, John
Bisson, Gilles	Marchese, Rosario	Runciman, Robert W.
Dunlop, Garfield	Martiniuk, Gerry	
Flaherty, Jim	Miller, Norm	

**The Deputy Clerk (Ms Deborah Deller):** The ayes are 28; the nays are 13.

**The Acting Speaker:** I declare the motion carried. Orders of the day?

**Hon Mr Duncan:** Mr Speaker, I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This House stands adjourned until tomorrow morning at 10 am.

*The House adjourned at 2023.*



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**Jeudi 18 novembre 2004**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 18 November 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 18 novembre 2004

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### PROVINCIAL STATUTORY HOLIDAY

**Mr Mike Colle (Eglinton-Lawrence):** I move that, in the opinion of this House, the Legislative Assembly of Ontario shall declare the first Monday in August a provincial statutory holiday to be called Ontario Day.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Colle has moved ballot item number 39. Pursuant to standing order 96, Mr Colle, you have up to 10 minutes.

**Mr Colle:** First of all, Mr Speaker, I just want to inform you and all the members of the House that I've placed on your desks an Ontario road map for your convenience, not only during this debate. I think it's a good resource to have in our desks, because as you know, when issues come up in the Legislature, there are different communities named that we may not be familiar with. So I think it's very good and useful to look up on the map and see where these communities are that are named in the House, because some of us may be from parts of Ontario that are far away from communities named in the Lake of the Woods area. So I think it's a good idea to have one.

By the way, the first thing I noticed on the Ontario map that was given is that it mentions Pancake Bay Provincial Park, and I said, "I don't know where Pancake Bay Provincial Park is. I wonder where it is and if someone can inform me."

**Mr Garfield Dunlop (Simcoe North):** There's life beyond the GTA.

**Mr Colle:** Exactly. I think that's what this resolution today is about. It's about making us, as Ontarians, become more aware of the wonderful regions we have in this province—the communities, the cities, the towns, our provincial parks—so that we can celebrate these regions, celebrate the local history, celebrate the local heroes. It's an opportunity, really, for us to complement what exists already in many communities.

As you know, the August 1 long weekend has many names. If you asked people on the street, anywhere in Ontario, you would probably get a variety of different comments on what it's called. To most people it's probably known as the August 1 long weekend. But if you went to Windsor, it's known as Emancipation Day. If you come to Toronto, it's known as Simcoe Day. In

Burlington, it's Joseph Brant Day. In Brantford, it's Founders' Day. In Oshawa, city council passed a resolution to call it McLaughlin Day. In Ottawa, it's Colonel By Day—this is the August 1 long weekend. In Sarnia, it's Alexander Mackenzie Day. In Cobourg, for instance, it's James Cockburn Day. I think that by giving this August long weekend a focus and calling it Ontario Day, we can complement the existing local holidays and give them more profile, and make Ontarians become more involved in celebrating their local history, more involved in inviting people to visit different parts of Ontario during that long weekend in August, not only people from across Ontario, but maybe our visitors to the south or our friends and neighbours in other provinces, who would be welcome to come to Ontario and share in the spectacular parts of Ontario.

Whether you want to experience the majestic beauty of the Muskokas, the Agawa Canyon, the wonderful area in the far eastern part of Ontario, which is bounded by the Ottawa River and the St Lawrence River, the Stormont-Dundas-Glengarry area, which has some of the oldest communities in Ontario, like Alexandria and Hawkesbury, or whether you go to the far north and want to visit the majestic beauty of the James Bay basin, there are limitless opportunities for Ontarians to partake in these wonderful regions. It's not only uplifting as part of the cultural or historical perspective; there's also great economic benefit by promoting visits, by promoting tourism. Because the reality is that if we don't promote Ontario ourselves, if we don't promote our own communities, who will? If we, as a government, or we, as legislators, don't promote the wonderful things that exist in Ontario, there's no way that our children will ever appreciate the beauties of Manitoulin Island, the spectacular Great Lakes, the North Shore of Superior.

The Speaker himself represents maybe one of the most spectacular birdwatching areas in the world: Point Pelee and Pelee Island. People all over the world come to Pelee Island because it has an incredible, spectacular event every year in May when people see birds that are rare, and, again, memorable. In fact, it was mentioned that the fastest-growing recreational activity in Canada is actually birdwatching, believe it or not. So whether you want to be into birdwatching, or into whitewater rafting in the Ottawa Valley up by Killaloe, there are incredible opportunities for Ontarians or visitors to celebrate the wonderful beauties of this province.

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In this act, what I'm trying to do is essentially say we have to start to celebrate, promote and bring focus to



these incredible, diverse regions of this province so that they're preserved and protected, but also enjoyed. It brings local economic benefit. It brings, as I say, cultural benefit. It brings a focus. We as Ontarians perhaps don't do enough of that for our own province. Perhaps, during this August 1 long weekend, whether it be with the provincial government or the Ministry of Tourism, we should partner with local communities to undertake exciting events or celebrations of these wonderful component parts of this province.

We hear of all kinds of people, during the summer now, travelling south to Florida. Perhaps we should be saying, "During that August 1 long weekend, stay in Ontario. Travel to different parts of this province and get to know the wonderful people and communities and also the wonders of nature that exist, our provincial parks." Algonquin provincial park is bigger than most European countries. We as Ontarians perhaps take that for granted.

Look at the lake regions, whether it's the Kawarthas, an hour's drive from Toronto. Why go across the border when you can spend a spectacular week or weekend in the Kawarthas, Lake Simcoe region, the Collingwood area or Georgian Bay? Or, if you want, as I've said, travel down to the southernmost part of Canada toward Lake Erie, and you can go to Port Stanley. You can go to the St Catharines area. We hear all kinds of talk about the Napa Valley. We have something comparable in the Niagara region here, some of the finest agricultural lands with spectacular places to visit. Niagara Falls is an international landmark to celebrate.

My attempt here with this resolution is just to say that we have to perhaps be more focused, more aggressive in terms of trying to market, if you like. I know sometimes it's a word we don't like to use with our province, but we've got to market this wonderful legacy we've been left stewards of. I think we owe it to the ones who came before us, whether it was a John Graves Simcoe, the great pioneers who established this wonderful province, to continue to nourish it and appreciate it.

I really think most of us do not appreciate or celebrate the greatness of this province. It's nothing that's man-made, necessarily; it's something that has been given to us by nature. We can stand up to anyone or any part of North America certainly, or the world, in terms of our natural wonders, beauties and recreational pursuits.

So by declaring this day—by the way, the technicality is that it's not even a statutory holiday, and everybody assumes it is, although for the most part, people do get the day off. But it's not a statutory holiday, and we have so few of them to begin with.

Hopefully, we can give it more profile. We can start to become a bit excited about this weekend, and just maybe learn from the Americans. Look what they do with Thanksgiving weekend. It's a huge holiday that not only lets Americans sit down and celebrate their families and give thanks, but it's a great boon to the economy. The greatest shopping weekend of the year is this Thanksgiving weekend in the United States.

I'm not saying we have to copy the Americans, but we have to start to wave our own flag a little bit. We have to

start to celebrate these immensely wonderful communities in this province, and maybe this is the day to do it, on the August 1 long weekend. Why not give it some focus and call it Ontario Day?

**The Deputy Speaker:** Further debate?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I also, in the past, have called for a provincial statutory holiday and a renaming of the day. My approach is to recognize the history and the heritage and the progress of this great province of Ontario. I will remind members that there is a civic holiday celebrated by many on the date that this motion is proposing, and many refer to that holiday as Simcoe Day, the first Monday in August.

The mid-summer long weekend is a cherished institution for many. The first Monday of August is also known as Civic Holiday. It was instituted in Ontario 20 years ago and, prior to that, the first Monday in August for many had been known as Simcoe Day across much of Ontario. It's still known as that by many in Toronto and, obviously, in Simcoe county, by many in the town of Simcoe, down in Norfolk county, in my riding, again exemplifying the diversity within our province, in contrast to a move here for a one-size-fits-all solution.

In June 2000, I introduced a resolution in this House to reinstate the designation of Simcoe Day in honour of Lieutenant Governor John Graves Simcoe and his tremendous contributions to the creation of Ontario. I believed then, and I still believe, that restoring Simcoe Day would be a tribute to this person, one of the founders of Upper Canada.

I tabled my resolution on June 19, a day that seemed fitting. I had just joined a fellow Loyalist who celebrated Ontario's United Empire Loyalist Day here at Queen's Park. Oxford county resident Woody Lambe was seated in the gallery that day. He was dressed as Lieutenant Governor John Graves Simcoe after participating in the UEL celebrations. I took the opportunity to introduce him to the Legislature as I put forward the resolution.

I'll open a few pages in the history books to give an idea of why people have honoured the memory of John Graves Simcoe for so many years on the first Monday of August. John Graves Simcoe was a British military officer appointed the first Lieutenant Governor of Upper Canada, in 1790. He was 38 years old at the time. He arrived in Upper Canada two years later. At that time, he was serving as a member of Parliament in the British House of Commons, the member for Cornwall. He'd been to North America previously as a colonel in the British army, fighting the American revolutionaries up until the early 1780s. At that time, he actively lobbied to become Upper Canada's Lieutenant Governor.

This was a man who threw himself into his work to establish Upper Canada. He studied the maps and decided the best site for the capital of Upper Canada would be on the River Thames, present-day London. He had to settle for the temporary capital at Newark—that would be Niagara-on-the-Lake—and eventually, as we know, the British government moved the capital here to York, also known as Toronto.



In Simcoe's six years as Lieutenant Governor, Upper Canada changed a great deal. In 1793, Simcoe brought in the first legislation in the British Empire to abolish slavery. As well, we recognize that Upper Canada only had a population of 10,000, mainly in the Bay of Quinte area, and needed settlers to foster the immigration of thousands of United Empire Loyalists from what is now the United States by ensuring that land was distributed to prospective farmers, cheaply and expeditiously.

Under Simcoe's direction, construction began on Yonge Street, the great link between York and Lake Simcoe. Yonge Street was designed for both commercial and military purposes. Lieutenant Governor Simcoe also established Dundas Street, the road, again, from the head of Lake Ontario to London, designed at that time as a military road.

Though some of his many projects were never realized, Simcoe's tenure as our Lieutenant Governor of the day is universally regarded as a success. He imparted optimism for the potential of Upper Canada, a potential that clearly has been realized today: Streets, bodies of water, a town, a county and many great monuments all bear his name. I believe it's important for us to remember our historical roots and celebrate Simcoe Day the first Monday of August.

1020

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to speak on this issue today. First of all, I want to make reference to some of the comments that Mr Colle, in whose name this stands, made earlier. Let me say that for me the issue is not whether we rename what is customarily known as the Civic Holiday, the first Monday of August, as Ontario Day. I don't think that would be the issue for a majority of Ontarians. I think what the majority of Ontarians would indeed want is to have that off as a statutory holiday. Most people find themselves in the modern world today working longer and harder for less, and finding time to be with your family, finding time where you can actually have a weekend, is becoming increasingly a pressing issue for more and more Ontarians.

I want to offer some proposals for Mr Colle that might actually make this more meaningful. If the provincial government said, for example, that on the weekend of Ontario Day, Ontario residents would have free access to the provincial parks of Ontario, that would make this a real celebration. If the goal is to keep more Ontarians in Ontario and to help them celebrate this occasion, then I think two things are necessary: This must be a civic holiday and must be entrenched in the Employment Standards Act as a civic holiday, and the province should promote it further by saying that all Ontarians, regardless of income—Ontarians who live in downtown Toronto and who are struggling on a modest income—will have free access for the weekend to provincial parks. Then we would have real recognition, real celebration. We would really be doing something meaningful.

So I say to the member, I wish him good fortune with this. But I say particularly to government members, if you really want to get behind this, there are two things

that need to happen: This must be entrenched as a real holiday, a statutory holiday—it must be recognized in the Employment Standards Act—and the province will need to take some additional steps to ensure this is not just superficial, that it becomes really meaningful for working families across this province.

But I say to the member, why stop here? I listened very carefully to what you said about the United States. Having gone to school and lived in the United States for a while, I know what a huge holiday Thanksgiving is. In fact, in many American states Thanksgiving is actually a bigger holiday than Christmas. What I want people to note is that it's not just one day for Americans. In fact, they work it so that it is a four- or five-day holiday. When I was going to university in the United States, classes ended on Tuesday afternoon and you were gone Wednesday, Thursday, Friday, Saturday, Sunday. That was the Thanksgiving break. So if we really want to make this into something and if we really want to give a sense to people that we take statutory holidays more seriously and we really want to provide people with this opportunity, that's another step that needs to be taken. Let's really turn it into a long weekend. If we're really going to celebrate Ontario's heritage, if we're really going to celebrate Ontario as a place to come to, a place to visit, a place to grow, and if we want to refer to the American experience with Thanksgiving, then I suggest there needs to be a further add-on as well. Then you've got something.

Let me take it one step further. The member referred to the United States, and I listened to and agree with his arguments with respect to the American recognition of statutory holidays. The United States has far more statutory holidays than we have. If you add them up, there's Lincoln's day, Washington's day, Memorial Day, Thanksgiving, Independence Day—

**Mr Colle:** Columbus Day.

**Mr Hampton:** Yes, and it goes on. My suggestion, because I think part of this—and I heard your words—is that we want people to be able to appreciate what we have to offer here, we should not stop here. We should probably add another statutory holiday. If you want to add that statutory holiday on to the Ontario Day weekend, I think I could support that. If you want to add that statutory holiday into the January-February doldrums, when many working families feel they are especially working longer and harder for less—and if you happen to live in the Toronto area, you don't see the sun for two months; what you see are basically clouds for two months—I would support that, because I think that kind of idea is long overdue.

For those people who say, "Oh, this would be a drag on the economy," go to the United States and try to advance that argument, that it's a drag on the economy that you celebrate these many and diverse statutory holidays. You'd be laughed out of the country.

I say to Mr Colle and to others who have spoken in favour of this, this is an excellent idea, but I think you're being a little too modest. If we really want to do this and



do it right, we need to build in three or four add-ons. Then we'd have something that Ontarians would celebrate. Not only would Ontarians celebrate it, but I think you can make it into the kind of thing where people would want to come from elsewhere to take part.

I speak as someone who lives in a community where half a million Americans cross the border to come to Ontario every year between the months of May and September. Most of them come because they want to catch fish or they want to hunt moose or deer. They used to hunt bear, but that was taken care of by someone a while ago. So I speak as someone who knows that we have a lot here to attract people with, but we have never done enough as a province in terms of selling ourselves. This is an opportunity to sell ourselves. This is an opportunity to say, "Hey, this is the time to celebrate Ontario. This is going to be a four-day weekend. All Ontarians are going to take part, those with the highest incomes and those who are struggling on the lowest incomes. We're going to open up the provincial parks. We're going to have a heck of a celebration. Come on over." In the United States, they say, "Come on down." We should say, "Come on over."

**Mr Colle:** "Come on up."

**Mr Hampton:** I say to the member who brought this forward, I'll support this, but I hope you'll recognize in the comments I've made that there are other things we need to do. If we acknowledge that this is something that works in the American culture, we should go further in terms of establishing other statutory holidays in Ontario. It would be good for working families, it would be good for the economy, and it would give us this further sense that we have something to celebrate.

I look forward to some of the further discussions. I know one of my colleagues may want to speak on this a little more in a few minutes.

**The Deputy Speaker:** Further debate? The member from—

**Interjection:** Stormont-Dundas-Charlottenburgh.

**The Deputy Speaker:** Stormont-Dundas-Charlottenburgh. I couldn't get that started for some reason.

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** Yes, a tourist destination.

Let me say it is a great honour for me to stand this morning to speak on this bill in support of the member for Eglinton-Lawrence, Mr Colle. I think he is absolutely right that the Civic Holiday weekend in August should be a statutory holiday. It should contain many of the provisions and many of the items that the honourable member from Kenora-Rainy River just mentioned.

I was sitting here and was looking over to Mr Colle, and I saw Mr Colle shaking his head as words were expressed about making it a full statutory holiday for all Ontarians, making it a chance for all Ontarians to take part in the culture, the heritage, the natural beauty of our province. There are opportunities, and I think this bill will give the Legislature and those who work here the opportunity of pursuing chances to provide for those who want to get out to celebrate.

1030

I want to say too that I will be sharing my time with the member from Etobicoke Centre, my seatmate, and I know she will bring a wonderful perspective to this debate.

I spent many, many years in the riding of Stormont-Dundas-Charlottenburgh and in particular my community of South Stormont, formerly the township of Cornwall, working in history and heritage, to the point that this year I had the opportunity of introducing my own bill for another statutory holiday called Heritage Day. I continue to support that. But as a former president of three historical societies in my area, I would promote and hold on a pedestal any opportunities we have in this province of promoting what we have: our natural beauty, our built heritage, our cultural heritage.

I think that's exactly what the member from Eglinton-Lawrence has done here today. He has presented us with the opportunity of declaring that this day in August will be Ontario Day. It will be a statutory holiday, with all the rights and privileges for all Ontarians, and it will also be a chance to get out and celebrate. We had a wonderful ride just a few moments ago by the honourable member of what to see around this province: the beauty, the heritage and whatnot. I've tried to do that in eastern Ontario since I arrived here in the House and in my work previous to arriving here, to let people know that Stormont-Dundas-Charlottenburgh and the great Gengarry county have much to offer along the line of tourist attractions, historical sites—the most historic site in Ontario, in my opinion, the inn built by the first Premier of this province at St Andrews West, and also his burial site within close proximity to that first inn he built in our municipality in 1865.

It's an opportunity to give people a chance to get out there to learn about what Ontario has to offer, to first of all explore and then to move around to places such as Pancake Bay Provincial Park. Certainly I have no idea where Pancake Bay Provincial Park is, nor does the honourable member from Eglinton-Lawrence. But when you look at this map and see this beautiful lake—the word "Ontario" celebrates water. When you take a look at the word "Ontario," from the Iroquois words—I discovered there were three words: "kanadario," meaning sparkling or beautiful water, "onitariio," meaning beautiful lake, and "skanadario," meaning very pretty lake. But they all refer back to water. When you look at a mid-summer holiday, what, on a hot summer day, attracts people? A beautiful lake, a beautiful river. Ontario is surrounded by water. When you take a trip around Ontario, down the St Lawrence River, up the Ottawa River, around to James Bay and the basins into James Bay, over to Rainy River, Lake of the Woods, down to Superior, through the Great Lakes back to the St Lawrence, the province is totally surrounded by those beautiful lakes and rivers.

This is what was celebrated by our First Nations community, the opportunity to have a word that relates back to what they saw as beauty in our province, and this



is what we want to do for Ontarians. First of all, we want to create a holiday that is going to be a brand, with that wonderful word "Ontario," and is going to be an opportunity for every one of us, no matter what walk of life, to take that day off, supported by the rights and privileges of a statutory holiday.

All our communities have much to celebrate. I had some notes here that in 1869, Toronto city council originated a midsummer holiday for a day of recreation. This is what we want. This is exactly what we wish to celebrate with this holiday.

So it's wonderful to have had words here in the House today from the opposition parties saying they will support it but wish us to take a broader look at what we can put into this day, what we can celebrate, what we can provide in opportunities for people. I, too, wish the same thing. I wish the people the opportunity of going out and celebrating beside our lakes and rivers, beside those tourist attractions that have been built on water, coming down to Upper Canada Village and walking through that village and touring those mills powered by water, coming into the city of Toronto and going to Black Creek Pioneer Village, where I've had the opportunity of taking many, many students to visit in my teaching career, to see turbines driven by water and celebrating culture and history and heritage. That's what we want.

I'm delighted today and very pleased that I've had the opportunity to rise and speak on this bill. Some may say it's not the most important bill in the province. Maybe not. But it's going to be important for all Ontarians as we celebrate our wonderful and diverse culture.

**Mr Dunlop:** I want to begin by thanking the member, Mr Colle, for providing us with these maps. I understand they're now three bucks apiece. I don't know where you got 100 of them, but I'd like to get 100 too, if anybody knows where you get them. They're great maps.

I've got to say up front to Mr Colle that the intent of your bill is great. Anything we can do—we've heard every speaker so far talk about our wonderful province, what a beautiful and wonderful province we have. My friend from Parry Sound-Muskoka and I have this debate about who has the best riding, the nicest riding. Of course the people from Muskoka always think his, and I think mine. We are very proud of our province, and we're proud of the fact that it's so diverse.

I have to tell a little story. The Severn River is in my riding; it's all part of the Trent-Severn system. The part that goes through my riding from Orillia to Georgian Bay is probably the most beautiful part of the Trent-Severn. It butts up against Mr Miller's riding as well. People from all over the world, actually, boat there. It's interesting, because a couple of years ago, when Jerry Ouellette, the member from Oshawa, was the Minister of Natural Resources, he asked me one time if I would like to do a trip to what he called Fort Severn. I called his office back and said, "It's not really important to me, but I think he's referring to Port Severn." Port Severn is five minutes from my house, and I know Ms Cansfield and her

husband will very shortly be vacationing up there for a weekend.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** At your house?

**Mr Dunlop:** No, at Port Severn. Ms Cansfield and her husband and some friends are going to Port Severn, to a beautiful place called the Inn at Christie's Mill, which is actually in Mr Miller's riding, right at the borderline.

But the bottom line was that Mr Ouellette called back and said, "No, no. We mean Fort Severn. Get your map out." Well, there is a Fort Severn, and you find it in either Mr Hampton's riding or Mr Bisson's riding, I think, but it's way, way, way up there. It takes forever to get to Fort Severn. There is a Severn River Provincial Park, I believe, in Mr Hampton's riding as well.

That just shows you—I guess many of us in this House have had the opportunity to travel to the north on committee hearings. Those are really the only opportunities I have had to get to the north. I've been to the Soo and North Bay and Sudbury and those kinds of places. But if you're from the far north, North Bay is considered southern Ontario. We consider it northern Ontario, but people in the north call it southern Ontario. It's just an amazing province, and I think we should all promote it to our friends and family and people who are from out of the country.

However, I know this is not a powerful bill and I think it's a good-intent bill, but I won't support it for a couple of reasons. One, I like the name Simcoe Day. Being from Simcoe county, being a former warden of the county of Simcoe and spending my whole life in Simcoe county, we're very proud of that day, very proud of the fact that Sir John Graves Simcoe was the founding Lieutenant General in our province's history. Up through Simcoe county and in the town of Simcoe, which is in the member for Haldimand-Norfolk-Brant's riding, he has an incredible history. It's amazing, when you talk to historians, how important they believe that is. That's not to take away from the fact that other communities—I heard someone talk about Bytown and the other folks who have been famous throughout Ontario in different parts of the province. I would like to keep that open.

1040

But primarily why I can't support it—this is to Mr Colle—is because it's my understanding that currently it's not a statutory holiday. In the past, I was a small business person—I don't do much business today—and I have a number of colleagues. During the years I spent in business, it's just one more added cost to operating a business. A lot of people already pay for the day. People will pay for what we call a civic holiday or Simcoe Day, but for a lot of people in small business, that's one more cost added to the cost of operating a business. I can't support anything that will add additional costs or taxes to our small business operators in the province.

In a lot of cases, weekends during June, July, August and September are very important for our small business operators right across the province, primarily in central Ontario. In Haliburton and Muskoka, Georgian Bay



township, all through Simcoe county, these are very important weekends. Those are their bread-and-butter weekends of the year. This coming Friday night I'm going to be out with friends I haven't seen in almost nine months, Ron and Cindee Breckbill, the owners of Severn Lodge up in Gloucester Pool. These people work seven days a week, 14 or 15 hours a day, during the summer months, and they don't need anything that would add expense to their businesses.

I can tell you that a lot of the businesses in our part of the province, particularly in the tourism industry, have no money flowing from Thanksgiving weekend to right around May 24. They have to make their money when times are good. I can't support anything that would add expense to that.

However, that being said, the concept is good, other than the fact—we got talking about the Americans. I know this government is on a path of what I call the Americanization of Ontario politics; it started last year or a couple of years back with Greg Sorbara's bill where he talked about four-year terms. Well, we've got that now. The Premier is committed to having four-year terms, at least while he's Premier. When John Tory becomes Premier, I don't know if he'll stick to the four-year terms or not. I consider that the Americanization of politics here in Ontario.

This is democratic renewal day. I'm amazed this has actually come up today. I know that the pit bull terrier Attorney General and democratic renewal minister is out there doing an announcement just this morning on democratic renewal. I'm very, very concerned about where this government is taking the province with the legislation they intend to introduce and what it means for the future of Ontario.

I'm going to say this on the record right now: I think Ontario, this wonderful province, has been served well by the parliamentary system we have today, and that's the British parliamentary system under the current rules, where the Premier in fact does call the election, where there is some questioning around the date of the election. Before we see any kind of democratic renewal in this province, I would like to see the lead be taken from the federal government. The system we have in Ontario has served Ontarians well. It's been a very, very stable system. When we start tinkering with things like the catchy term "democratic renewal," we have to be very careful what path we go down.

With that, I'm winding down. Again, I applaud the member for bringing it forward. The intent of the bill is good, but in my own personal opinion, I can't support it because of the impact it may have on the small business operators of our province.

I appreciate this opportunity to speak today.

**Mr Gilles Bisson (Timmins-James Bay):** I just want to say at the outset that I have no problem supporting this particular initiative. Quite frankly, most people in a unionized environment get the bank holiday or the Civic Holiday, as it's called, as a statutory holiday in their collective agreement. It just makes ultimate sense to me

that all workers in the province get the same opportunity as workers who happen to be lucky enough to have a union and have that in their collective agreement.

But this gives us an opportunity to have a bit of a discussion about the overall issue of how we remunerate workers when it comes to time off, pensions and all that kind of stuff. I've got to say, Canada and the United States are probably some of the worst, least progressive jurisdictions when it comes to how we deal with the whole issue of time off. Look at Europe, for example. In France and Italy, and even in England, which tends to be pretty conservative, Germany, certainly the Scandinavian countries, all the major industrial powers within Europe, if you take a look at their holiday system, they start off with four weeks for the first year of service. Here we are today in Ontario debating a bill that possibly will give non-unionized workers one day off, and we're worried about how it's going to kill business? Come on. Give me a break. The reality is that the largest economic engines in Europe come at this from a totally different perspective. They say, listen, it's to the advantage of the employer, the employee and society if we give people a reasonable amount of time off, a good chunk of time off every year so they can go out and recharge their batteries and come back to work more refreshed and able to do their jobs.

If you talk to industry—I told a story one time here in the Legislature that I thought it was kind of interesting. Some years ago, Trelleborg, a Finnish company, bought out what then was Kidd Creek Mines up in Timmins, and when we were having a discussion with the head of Trelleborg out of Finland, who had come to Timmins to meet with Warren Holmes, then the general manager and vice-president, I guess, of Kidd Creek, he couldn't believe how little holiday time workers were given. He just couldn't understand why management had not done something about making the benefit package more attractive to employees when it came to the issue of time off. It was really interesting to watch, because this guy was going, like, "Why wouldn't you do this? This makes absolutely no sense. Where I come from, this is just the norm." I think it's high time in this province and in this country that we have a discussion about how we deal with this in a statutory way, not that people go off and negotiate these things individually, and how we deal with this in a more progressive way.

For example, there are a number of things I would like to be able to talk about outside of this particular debate at one point if we're able to get into another debate. One is, let's look at statutory holidays that are more in sync with what we're seeing in Europe. It has been working there for many, many years. It's been very well received by both the employer community and certainly the employees. It has also done another thing: It has actually developed a very strong tourism industry in Europe by Europeans themselves travelling within the European continent. If you take a look at France, for example, for the month of July or the month of June—I forget which; I think it's July—basically most of the country is out on

holidays, and they're out holidaying somewhere in Europe.

**Mr Colle:** It's August, isn't it?

**Mr Bisson:** Is it August? I can't remember. I've been to Europe a number of times; I just don't remember which one it was. Anyway, the point is that people are out holidaying, which means they save up some dollars and they go travel somewhere, to some destination within Europe of interest to them. They bring their families and spend some money. It creates jobs in the tourism industry. It's not a bad thing, and I think here in Ontario we should be looking at how we are able within our own Ontario economy to encourage people to take holidays within Ontario.

One of the ways you do that is by encouraging people to take holidays, and one of the ways you can obviously do that is by changing the Employment Standards Act to provide for more holidays.

1050

The other issue I think we need to get our heads around is pensions. I realize this is not holidays, but I've got to say, aside from members' pensions—let's not go there. We know we have no pensions, and what a stupid thing Mike Harris did, but that's another story. The issue is that we should be encouraging a debate in this House about how we're able to work toward a defined pension program for all workers in the province. It only makes ultimate sense.

As we get older in our workplaces, especially if you work in a physically hard job, where you're challenged to do physical work—we should be trying to encourage employers, by way of legislation, to put in place defined benefit programs that basically say that at age 55 or age 57 a person is able to retire with an adequate amount of income, so that they can get away from that job that they may not feel like doing any more—or the employer wants to bring somebody new in.

You know, you can socialize the cost of that over a period of 30 years. It's not all that difficult to do. We may not be able to deal with it adequately for a person like me who's 47 years old. But certainly for those who are 20 or 30 years old in the workforce now, and for those coming in future years, you're able to develop, over a relatively short amount of time, a good pension system that would allow people to retire at a reasonable age.

I think that's something we should be striving for. I think the combination of giving people an ability to take a sufficient number of holidays so that they're able to rejuvenate themselves and go back to their employer and be more productive employees, as well as the offset benefit of allowing people to travel and support the tourism industry—then, top that all off by saying, "Let's find a way to get people to retire earlier, so that they're able to go out there and enjoy the latter part of their years"—a good 20 years after age 57, to travel and do the things that we want to do and be productive in our society in different ways—maybe working part-time or volunteering in our communities to do whatever.

I've got 20 seconds, and I've got to say this: I would also encourage all members of the assembly to look at the issue of pensions for members. I want to put it categorically on the record. I think it's nuts that members don't have pensions. Every worker in this province should be entitled to a pension. I don't understand why we take the position that we, because we're legislators, shouldn't have some form of defined benefit program when it comes to pensions. I would argue, put us into the OPS pension plan, along with every other provincial employee.

*Interjections.*

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm pleased to be able to stand at this time, although maybe I should sit down until they finish speaking.

*Interjections.*

**The Deputy Speaker:** Order.

**Mrs Cansfield:** Thank you very much. I'm pleased to be able to stand in support of the motion that's been put forward by my colleague from Eglinton-Lawrence.

I recently had an opportunity to meet with a friend who, when he first came a couple of years ago to Ontario, got out a map, one similar to the one that was given out this morning, and looked at it and said, "Oh, my heavens. I didn't realize Ontario was so big that it had to be on both sides." Actually, that's part of what we should think about: Ontario is the size of western Europe. It's that large, it's that diverse and it's that extraordinary.

If you've ever seen the picture North of Superior, you have an idea of the extraordinary majesty of the north, the fact that they have clean air and blue skies, the fact that you can actually hear birds and see birds that you can't see in other parts of the world. If you look to Sault Ste Marie, you'd find that there's a desert in the Sault. If you were to go to Tobermory, you'd find that there's a wind turbine. If you look to the hills and the valleys that are in southern Ontario, you would find our farms, the places where we can grow peaches and grapes because our weather is so mild. And then you can go to Kingston and through the Great Lakes, and you can look at Upper and Lower Canada and the history and tradition. That's sort of the physical layout of what we are.

In addition to that, we have a provincial park that's actually larger than a number of countries in the world. It's phenomenal. It's a place that everybody should visit, and you need the opportunity to do that.

Today, most families work 16 hours a day, and many more. They spend less and less time together as families. They find that their weekends are stretched and that there isn't the quality time that we used to spend together as a family. Some people say, "Well, it's not quantity, it's quality." I think it's a little bit of both. In order to appreciate your family, you need to spend some time with them. I think that's particularly so for those folks who live on modest incomes and often have two jobs, not one. And when we look at the opportunity to celebrate not only what we have in this province, its diversity, and at the same time provide an opportunity for those families to do it together, I can't think of a better way,



again, to support something that's just as important as a statutory holiday for Ontarians. That's why it should be called Ontario Day.

We seem to sometimes forget about the extraordinary diversity that we have in Ontario. I'll just give you a little example around Toronto itself. We have, in Toronto, people from virtually every country in the world but two: Antarctica and Greenland. Those children are in our schools. We have over 160 languages and dialects. Just think of the richness of that culture and the diversity of those people as they spread across Ontario. Add that to our aboriginal and our other history and heritages and we have something really worthwhile to celebrate. And how do we build on those celebrations? By recognizing that diversity, both geographically within the province itself and in terms of its people and history.

I recently had the pleasure of being in China, where I looked at 6,000-year-old history. I was blown away by how the people themselves embrace that history. I think that we have an obligation to do exactly the same thing here with our very modest, few-hundred-year-old history. We have a responsibility to our children and to ourselves to know where we came from, to understand it in order to move on and make it better. And what a better way to do that than allow people the opportunity to have a day in which they can actually recognize that Ontario does have a history and therefore has a past, and with a past, obviously has a future.

I think it's a real opportunity, as I said before, for families to work together on one day—a day of rest, if you like—when they can get out and discover Ontario. Years ago we used to have that song—someone alluded to it earlier: Ontari-ari-o; Yours to Discover. But you've got to give people some time to do it, whether they want to go to the zoo one day, to the north or whether they simply want to go for a walk in a park like High Park. Or, if they have the ability, to get in a car and travel with their children to learn something about Sainte-Marie among the Hurons. There are so many places.

I have the pleasure this weekend to go with friends to the Inn at Christie's Mill, and that's thanks to the charity auction that's held every year by the press gallery. This year, it's December 1. What the members have done, historically, is they've gone to their constituency base and they have given us an opportunity to purchase, on behalf of charity, a place that we might be able to go and see. I had never been to Christie's Mill. I had never been to Port Severn. I wanted to go and discover it, and I had that opportunity to do it. Not everybody has that same opportunity, and what my colleague's motion will do is provide that opportunity for people to get out and have a chance to discover what Ontario is all about—to enjoy its richness, to enjoy its people, and to celebrate it.

We often talk about the folks in the south. They wave their flags and they're so excited about who they are, what they are and where they came from. We hear that about Canadians. We're proud to be Canadians, but we're bloody proud as well to be Ontarians. I'd like to think so. That's also a part of our psyche and who we are,

what we want to be, where we want to go and how we want to teach our children. These are the things you do by encouraging that through leadership.

This isn't a trivial bill or motion. It's a very significant one because it says that we celebrate who we are, we celebrate where we want to go, we want to teach our children about our heritage, and we want to give people the opportunity to enjoy that heritage and to do it in such a way that they're not penalized. It won't hurt small business because certainly in my area, small businesses stay open because they are a tourist area. That's just another opportunity, actually, for them to make more money, because more people come up and enjoy that part of Ontario.

1100

**The Deputy Speaker:** Mr Colle, the member for Etobicoke-Lawrence, you have two minutes to reply.

**Mr Colle:** Eglinton-Lawrence.

**The Deputy Speaker:** Eglinton-Lawrence. Thank you.

**Mr Colle:** I want to thank everybody who participated in the debate. I think it's an important debate because, essentially, as Ontarians, if we don't promote ourselves, if we don't celebrate this great province, who will? If we, as adults and as legislators, don't stand up and celebrate Ontario, who will?

I find it strange, some comments about, "Well, this is not good for small business." Give your head a shake. If you tell that to the Americans—holidays create all kinds of economic activity. We have to get off our seats and start to promote this province, to promote tourism, because it creates jobs and economic opportunity. We are just too passive. We've got a great product here—it's called Ontario—and we've got to start to market it and celebrate it. We can't expect someone else to do it for us. That's what we're doing right now. We're sort of sitting back and saying, "Oh, someone will market Ontario."

Simcoe Day isn't going to cut it. We need to give it some profile, some excitement, and there's nothing to preclude Simcoe Day from continuing, but we have to go beyond this passive, sit-back attitude. We have an economic imperative here, a cultural imperative and an educational imperative to do something where our young people will be proud of this province. They'll know where Pancake Bay Provincial Park is. Do the kids out there know where Pancake Bay Provincial Park is? They don't, because we don't.

You know where it is? Looking at the map, it's just north of Sault Ste Marie in the eastern shore of Lake Superior and, sadly, it's off where the Edmund Fitzgerald sank. You know the great Ontario folk singer, Gordon Lightfoot, one of the greatest singers in the world? We should be celebrating Gordon Lightfoot, celebrating Pancake Bay Provincial Park. Let's not sit back and whine about it; let's do something for Ontario.

MUNICIPAL AMENDMENT ACT  
(HOSPICES EXEMPTION), 2004

LOI DE 2004 MODIFIANT LA LOI  
SUR LES MUNICIPALITÉS  
(EXONÉRATION ACCORDÉE  
AUX HOSPICES)

Mr Flynn moved second reading of the following bill:

Bill 134, An Act to amend the Municipal Act, 2001 /  
Projet de loi 134, Loi visant à modifier la Loi de 2001 sur  
les municipalités.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Flynn  
has moved ballot item number 40, pursuant to standing  
order 96. Mr Flynn, you have up to 10 minutes.

**Mr Kevin Daniel Flynn (Oakville):** It certainly is a  
pleasure to be here today, and I want to thank you for the  
opportunity to debate this bill, the Municipal Amendment  
Act (Hospices Exemption), 2004.

Before I start, I have the pleasure of introducing to the  
House Ms Janet Napper, the executive director of the  
Hospice Association of Ontario, who is with us in the  
House today in the members' gallery. Janet, welcome. I'd  
like to thank Janet for all her support in the preparation of  
this bill, as well as my own staff.

I'd also like to pay special thanks to a woman by the  
name of Margaret Anderson. She's the director and  
founder of Ian Anderson House, which is in my riding of  
Oakville. Ian Anderson House is a hospice that has been  
in existence for some time and has done a tremendous  
job in Oakville and the surrounding area.

The reason that I'm introducing this bill is through my  
involvement with Ian Anderson House. Ian Anderson  
House, as I said, is a hospice. It was started by Margaret  
Anderson in memory of her late spouse, Ian Anderson.  
Ian Anderson was diagnosed with cancer in 1987, and he  
died in their home, as he wished, in 1990.

Ian Anderson House is funded entirely with private  
monies and the work of Margaret and a group of volun-  
teers. It opened seven years ago, on November 15, 1997,  
and has since provided palliative care without charge for  
approximately 600 families on its almost two-acre prop-  
erty. The house receives no provincial funding, but runs  
as a non-profit charitable organization and has provided a  
much-needed alternative for families who don't want to  
die in a hospital and aren't able to get the support they  
need in their own homes.

The gardens of Ian Anderson House, if you ever have  
the opportunity to pay a visit, have all been funded by  
volunteer efforts—the private sector has pitched in—  
companies, and local government. One day, we had all  
the firefighters out there doing some work on the  
gardens. So it's a facility that the community has really  
taken to its heart.

Part of the hospice mandate is to offer environments  
such as these gardens, and they provide the sort of  
settings for patients and their families that are spiritually  
nurturing, physically comfortable and aesthetically  
pleasing. It's in the spaces in which people spend the

final phase of their lives that they need to be treated with  
the utmost care.

The Ian Anderson House does not charge any fee for  
residency inside the hospice. If you're ill, if you're in the  
final days of your life and you need a place to go, you  
don't want to die in hospital and you can't be cared for at  
home, the Ian Anderson House will take you in if they  
have a space. It's all run entirely by community fund-  
raising. It doesn't matter how rich you are or how poor  
you are; if there's a spot available, the Ian Anderson  
House lets you in. They have corporate sponsorship and  
the services of a tremendous volunteer board. They've  
got a resource centre in the building that supports  
members of the community who want to care for dying  
loved ones in their own homes.

For the Ian Anderson House, what we were able to do  
when I was a locally elected official is go through a  
process whereby the property taxes were waived by the  
region of Halton. What that means in my own com-  
munity is that over \$7,000 that used to be paid to the  
municipality can now be used by the Ian Anderson House  
to provide the services that it was truly set up to provide.

It's important to know that we provide this exemption  
for a number of other facilities and institutions within the  
province of Ontario. Ones that come to mind specifically  
are churches, Legions, the Boy Scouts, bridges, minerals.  
We exempt a number of organizations. What I'm asking  
for with this bill is that municipalities be granted the  
option to provide a tax exemption for a hospice that  
exists within their own borders.

I've been able to set up a pretty good arrangement for  
the Ian Anderson House in the region of Halton, and I  
think that should be extended to the rest of the province.  
The only downside to the current arrangement that Ian  
Anderson House has is that they have to raise the funds  
in the first place to pay the taxes so that they can get a  
grant from the municipality to pay them back. With such  
a hard time fundraising these days for any non-profit  
organization, it seems to me it would be better—and I  
know in my own community there is sympathy, with  
support from the town of Oakville and the region of  
Halton, for providing this exemption.

For those members of the House who are from the  
GTA, there's also another centre that's trying to be  
formed in Toronto. It's called the Philip Aziz Centre.  
Unfortunately, in our modern society, it's not just adults  
who get HIV/AIDS; it impacts children as well. What  
this group of people are trying to do is to, in a hospice  
setting, provide the level of care that is necessary for  
children who have been infected with HIV/AIDS.

The bill is important not only in the financial relief it  
provides; it would also encourage the building of other  
hospices. In our province and around the world, we're  
coming to realize that how we treat the dying in our  
communities speaks to who we are as a society. We seem  
to have done a very good job in how we treat people who  
are entering their life or entering this world. I think we've  
been a little reticent in the way we treat people whose  
time it is to leave this world. This bill reflects my support



for all of the good work being done in the palliative and hospice care movement throughout the province and the difference these institutions make in providing dignity and compassion to people in the last days of their lives. Many people end up in hospital who would really like to be at home during their final days, but they simply don't have the resources at home.

A recent Ipsos-Reid poll found that over 90% of people indicated they would prefer to die with dignity within their own home. Sadly, under current conditions, these people do not have the resources and over 75% of them end up dying in a hospital, which is not the place they want to die.

The Hospice Association of Ontario has grown tremendously. It began with eight members in 1989. Within the first 10 years, the association's membership grew by almost 1,000%, from eight to more than 150 hospices and allied members. It's the largest volunteer hospice organization in Canada. Its members have become the largest direct service providers within Ontario's voluntary health care sector. Today, in more than 400 communities throughout Ontario—so it affects each and every one of us in this House—over 13,000 volunteers dedicate 630,000 hours of volunteer work to Hospice Association of Ontario member hospices. In order for these hospices to provide a full range of physical, emotional and spiritual care, they rely on contributions from the community. It is my opinion that this bill would receive widespread support from both municipalities and citizens of the municipalities. It's another way to assist the hospice organization in providing the type of care it does.

1110

Now a little bit of history. The word "hospice" stems from the Latin word "hospitium," which used to mean guest house. Originally, "hospice" was used to describe a place of shelter for those who were sick or weary, returning from a pilgrimage. During the 1960s, a British physician, Dr Cicely Saunders, began the modern hospice movement with the establishment of St Christopher's Hospice near London. The first US hospice was established in New Haven, Connecticut, in 1974. The first one we had in Canada was established in 1975 in Winnipeg, and also at the Royal Victoria Hospital in Montreal. So hospice is not a place; it is, rather, a philosophy. The focus of hospice care is on caring, not curing, and on life, not death. For the purposes of the bill, hospices are free-standing community facilities that provide a home-like alternative to institutional care for those who require it.

Other government initiatives include the following: The Ministry of Health has placed an emphasis on patient community care; local health integration networks are enshrining principles of patient choice—they are people-centred; Minister Smitherman has spoken at great length about the importance of hospices; and Donna Cansfield, the member for Etobicoke Centre, has also called for a comprehensive palliative care strategy.

We will be able to save tremendous resources by approving this bill. I would urge all members to support

it. In doing so, they will be supporting end-of-life care in their very own communities.

**The Deputy Speaker:** Further debate?

**Mr Norm Miller (Parry Sound-Muskoka):** It is my pleasure to speak this morning at private members' business on Bill 134, An Act to amend the Municipal Act, 2001, which has been put forward by the member for Oakville. Basically, what this act does is that a municipality may, by bylaw, exempt from taxation for municipal and school purposes real property owned, used and occupied by an independently managed non-profit hospice engaged in the provision of end-of-life care.

I do believe the hospice sector needs support. Our party has always been a strong proponent of using tax cuts to stimulate the economy and support those in need. As such, I'm very happy to support this, although I believe it needs feedback from municipalities, which are being asked to bear the brunt of the tax cut.

In my riding of Parry Sound-Muskoka, there are many organizations involved in palliative care and hospice support. They're doing a great job—with the support of a lot of volunteers, I might add.

In the Almaguin area, there's the Almaguin palliative care team—Mary Manuell is the program administrator of that—which covers Novar, Emsdale, Kearney, Sprucedale, Katrine, Burk's Falls, Sundridge, South River, Sand Lake and Ahmic Harbour. They provide some very important services: emotional support, personal care, respite care, support to children, alternative therapies, spiritual support, home care, volunteer care teams, bereavement support for individuals and groups, anticipatory grief, coordination of services, and general domestic support. That's in the Almaguin area.

In West Parry Sound, it's run through West Parry Sound Health Centre—Norm Maciver, the CEO, is the contact—at 10 James St. Their catchment area goes from the French River in the north to Musquash River in the south, east to Magnetawan, and west to the Georgian Bay archipelago.

Then down in South Muskoka we have Hospice Muskoka. Sandra Winspear is the program coordinator. It's run out of Bracebridge Pines Long-Term Care, and it covers the South Muskoka region.

In the Huntsville area, we have Hospice Huntsville—Ms Cindy Susut is the volunteer coordinator—based at 100 Frank Miller Drive in Huntsville. It covers the area from Huntsville south to Port Sydney, north to Melissa, west to Rosseau, and east to Baysville, Dorset and Dwight. So we do have some significant coverage of my riding.

I've had the privilege of attending a number of hospice events in the last year. I was at the Caregivers Voice 10th anniversary at Rogers Cove in Huntsville, where the founder of that organization, Geila Bar-David, participated, and one of the speakers at that event, in talking about the importance of caregivers, used this quote, which I thought was very significant: "There are only four kinds of people in this world: Those who have been caregivers, those who currently are caregivers, those who



will be caregivers and those who will need caregivers.” That pretty much covers all of us, and that was actually from Rosalynn Carter, from the spring of 1995.

Also, I had the privilege of attending a fundraising event for Hospice Muskoka, a gala event in Port Carling on June 25 of this year. It was called Go Mad With Plaid. It was organized by Frances Weir and Muriel Leslie. It was the initial event to raise money for a regional residence hospice. It’s going to be the first one in the whole Parry Sound-Muskoka area, and this was the first event fundraising for it. It was a very well-run event, and a lot of fun, I might add. I participated; I wore my father’s Royal Stuart tartan, hoping I might win the contest for best costume. Unfortunately, my mother beat me out. She had a little more plaid on her and was the grand winner as the best-dressed person at this event. But it was certainly a successful event.

I also participated recently in the opening of a special room at the South Muskoka Memorial Hospital that is being set aside for palliative care. One of the key people involved with that is Owen Mellow, from Bracebridge. He’s an example of the fine volunteers who are really the backbone of many hospice organizations. In fact, across Ontario there are 13,300 volunteers who dedicated 630,000 hours of service in the province in the last year. There’s no doubt that there is a growing need for more and more hospice and palliative care support.

I would have to ask why the provincial government isn’t supporting this directly with funding, or the federal government. The weight is being put on municipal government. That’s why I think municipal input is required. I can’t help but say I think there’s an imbalance between the taxes collected and the services that are offered between the three levels of government—federal, provincial and municipal—especially when we see this week that there was a \$9-billion surplus at the federal level. So I think it’s very important that we get some input from municipalities, because they’re being asked to basically—I mean, the \$7,000 the member from Oakville was talking about that would benefit his local hospice. Unfortunately, it’s the municipal government that would be giving up that tax revenue. So that’s a question that needs to be addressed, and I think that, as usual, we should be bringing the federal government to look at this.

There’s no doubt that there is a need for palliative care services. Some 94% of Canadians feel they cannot adequately care for a dying loved one without outside support, and it’s hospice palliative care that provides that essential support. It’s especially true for Ontarians living in remote and rural areas. When you get into the north—I’m the northern critic—it becomes more and more difficult to access these needed services. I outlined some of the organizations that cover Parry Sound-Muskoka, and I think I’m very fortunate to have these organizations within the riding of Parry Sound-Muskoka. But more importantly, I and the people of Parry Sound-Muskoka are so lucky to have dedicated volunteers, like Owen Mellow and many others like him, who put in those 13,300 volunteer hours throughout the year.

So I will be supporting this. But I think a key thing is that there especially needs to be municipal input, and we should be trying to get other levels of government to support this.

1120

**Mr Rosario Marchese (Trinity-Spadina):** I’ll be sharing my time today with the member from Toronto-Danforth.

I want to say that I will be supporting this bill by the member from Oakville. I think it is a good bill to allow the municipalities to exempt non-profit hospices from taxation, because they do good work with so little money. It’s important work that they do, and every spare dollar they can find is good for the services they provide. The member from Parry Sound mentioned a whole long list of things that hospices do, from bereavement support to personal care to respite care, home care, palliative care—the list is endless. These are services that are desperately required and that desperately need provincial and federal support in order to allow individuals to be taken care of in their homes and/or in their communities. But so little comes by way of provincial and federal dollars that it puts tremendous stress on families and hospices to do the work they are doing.

While this bill is a laudable one, and while the province may pass such a bill allowing municipalities to exempt non-profit hospices from paying taxes, the province gets away with having to worry about how the city then does without the money that normally they would be getting from such a service. I’m convinced that every municipality would love to exempt non-profit hospices from taxation. I’m convinced that they do. But the problem is, they argue, “If we do this for one service, who will come next, and how will we deal with the shortfall of municipal dollars that we desperately need to provide the services?” This is the balancing act that we have to worry about.

Understand this: The province goes, as your Premier just did a couple of days ago, saying, “We provide 44% of provincial dollars to federal coffers, and we don’t get the same level of money coming back to the province of Ontario.” They’re right, as we were right when we were in power, when we said, “We’re contributing so much and getting so little from the federal government.” Do you know what the cities are saying? The same thing. The city of Toronto says, “We pay 44% of our taxes in Ontario, and we don’t get a commensurate share of the dollars we put in.” Do you know what? They’re right too. So as McGuinty goes to complain to the federal Liberals that we’re not getting our fair share, the cities are saying, “We’re not getting a fair share from McGuinty,” and they’re right.

Although you have introduced the gas tax dollars that make an important contribution, the city is saying, “It barely balances off the problems we had last year.” And the worries are going to continue for a long, long time, because downloading on the city of Toronto and many other cities has gone on for so long that many of them are literally broke and they need money. A city ought not to



be coming, begging and pleading, to the provincial government to give them the money they desperately need to provide the programs they are providing. They ought not to, but they are, because we have no adequate mechanism to guarantee that cities get the money they need.

In some countries in Europe, there is a proportionate amount of dollars they get from the federal government, where they have a centralized system, based on whatever revenues the federal government has. It's 5% or 10% or 15%—whatever that figure is—but it's always consistent. If that were so, cities would never have to come begging the provincial government or the federal government for the money they ought to be getting. That's not the case in Canada and in Ontario. Every year you have cities worried about whether or not they have enough money to provide the services they should be providing.

So my point is, this is a good measure. It's an important bill that recognizes that non-profit hospices provide incredibly good work for the little money they're getting. But the worry you and I have on both sides is, how are we going to guarantee that cities get the money they need to provide the services they provide, and when they exempt one group, how do they say no to exempting another group? While I agree this group should be exempted, money should come from the provincial government to the cities to make up for what we're doing. That would be my position on this.

**Mrs Linda Jeffrey (Brampton Centre):** I am pleased to have the opportunity to stand in the House and support Bill 134, the Municipal Amendment Act proposed by the member from Oakville.

Our government came to power with a commitment to strengthen local communities. Hospices have played an important role in our local communities, and this bill is aimed at supporting the very important work these organizations do. As I understand it, this legislation will be similar to current enabling legislation that will give municipalities the ability to exempt legion or other veterans' organizations, as well as the Boy Scouts and Girl Guides, from paying municipal property taxes, should a municipality so deem.

Ontario hospices are the largest direct service providers within the voluntary care sector. The Hospice Association of Ontario's member agencies have more than 12,000 volunteers, dedicating some 570,000 hours of service every year to more than 400 communities across Ontario. One of the hospices in my riding is the Tullamore Long Term Care Facility.

In my research on hospices, because I haven't had direct contact with them, I learned that the Hospice Association of Ontario created a charter after doing a province-wide consultation for end-of-life care provided by the Hospice Association of Ontario. The charter states: "How we treat those who are dying in our community reflects who we are as a society. All Ontarians have the right to die with dignity, to have access to physical, psychological, bereavement and spiritual care,

and to be granted the respect consistent with other phases of life."

Ontario's hospice palliative care community is committed to providing the best possible quality end-of-life care to Ontario residents and their families. Their goal is to optimize the quality of life and to minimize the physical and emotional suffering associated with this phase of life.

Hospices endorse an integrated approach focused on the individual and their family and caregivers, accessible through hospice palliative care services in the local community and tailored to individual needs. The Hospice Association of Ontario works to increase awareness and availability of quality and integrated end-of-life care. They collaborate with government, social agencies and decision-makers to develop innovative, clinical, community and public policy strategies. Hospices speak with a unified and cohesive voice, share information and resources, and work through a coordinated network of partners from the voluntary, public and professional sectors.

The field of palliative care is poised for growth, impacted by an aging population and by technology keeping people alive. It is a very important quality they need to be doing, and they provide it with increased professionalism every year. As more long-term-care professionals work and educate consumers and families about what they do, there is a recognition of the complexity of providing this sensitive service. Education and research are evolving in response to the pressures of dealing with palliative populations.

I forgot to say at the beginning, Mr Speaker, that I'll be sharing my time with the members from Etobicoke Centre and Scarborough Centre.

The Hospice Association of Ontario is the largest volunteer hospice palliative care organization, made up of 90 hospices and 60 allied associations. They have 13,300 hospice volunteers and dedicate over 600,000 hours of service, as I said, to more than 400 communities.

The emotional, psychological and spiritual support to people who are in the last phases of life are the most important thing we can possibly provide.

I support this legislation because I believe this bill complements our government's announcement of \$73.2 million in July for end-of-life care, and will support local, independent hospice palliative care in Ontario.

**1130**

**Ms Marilyn Churley (Toronto-Danforth):** First of all, I would like to say that I am supporting this bill. I certainly want to underline, though, the points my colleague Rosario Marchese made. Of course we're going to support this bill. Let me say that strongly. Clearly and obviously this is a good, positive move forward. But I concur with my colleague Rosario Marchese, in that municipalities have become so dependent on two things now, and I've been making these points in the debates around the greenbelt. They desperately need their municipal taxes and developers' fees to pay for their services. This happened, in large part, as a result of the down-

loading done by the previous government, and we need to start rebalancing that.

I'm not going to go into the same detail as my colleague did about the kinds of things that need to be done to address that, but I think we would all agree that every time we give an option, and this is a good option to give to municipalities, not taking on the hard responsibility here ourselves, the government not taking it on and saying, "You shall," but leaving it up to the municipality to determine, is a problem for the municipalities. They're going to want to do this and there's going to be pressure on them to do it. But if they're already struggling with keeping a balanced budget, as they are, and not raising property taxes too much, for every single good cause that comes before them, they're in a real quandary. That is what's going to happen with this. I really hate to see our municipalities put in these positions where it becomes almost a moral situation. They can't say no, nor should they.

So I would agree with Mr Marchese that if we're allowing municipalities to do things like this, which I believe we should be, then we need to be looking at the funding structures we have and changing them so that the municipalities, and I mean small and large, are not so entirely dependent just on municipal taxes and developers' fees.

I want to take this opportunity to highlight Casey House. You may all be familiar with Casey House. It was founded by June Callwood, who's just a wonderful woman.

**Mr John R. Baird (Nepean-Carleton):** My friend.

**Ms Churley:** I think June Callwood is actually everybody's friend. She has no political axe to grind. For as long as I've known June Callwood, her goal has been to do good for her community and for all the people. She has her particular causes, and she's been very successful. I knew June for many years, and when her young son, Casey, was tragically killed in a motorcycle accident, and the devastation that caused our good friend June and her family, June then turned that tragedy, in some ways, into a very good cause. She named the hospice she started, for people suffering and dying from HIV/AIDS, after her son, Casey.

It was a real privilege for me. I've toured Casey House on many occasions. I recently attended the 11th annual Art with Heart auction for Casey House hospice. If you've never gone, I recommend you go because the art at these things is just incredible, with donations from some of the top North American artists and top artists here in Toronto. It's a real opportunity to see that art, and if you can afford it—some is higher-priced than others—to buy really good art at reduced prices, given what's there, and to support this really great cause.

June Callwood—the founder, as you know—started Casey House at a time when HIV/AIDS was devastating. Then, life was not being prolonged and, in fact, enhanced. People can live, for a long time, relatively normal lives now with HIV, but at that time, we were seeing mostly young men in the prime of their lives dying with HIV.

I've had friends who've died, and I'm sure everybody in this Legislature has been touched by the devastation of AIDS at that time. It was killing, as I said, many young men in their prime. There was little community support, and a huge stigma and discrimination attached to people with HIV and AIDS.

It was at that time when June Callwood said, "We've got to do something about this. A lot of these young men are dying alone with very little support from the community, not being able to work." She just grabbed the bull by the horns and said, "I'm going to do this," and she did. It's just a wonderful example of a hospice that's working.

As we know, since that time, the population suffering from and living with AIDS has changed. There are far more women now, as well as homeless people, and a bigger section of the population. The waiting lists at times became very long, and the nurses there—a wonderful staff who, over the years, have staffed Casey House—along with many of the families who do become involved, came up with the idea for home hospice so that people could have those kinds of supports in their own homes. Art with Heart—and I'm really promoting this today, because it's a good opportunity to raise money—has raised money. I go often and bid often.

I do recommend that we do everything we can to support, besides this today, the hospices in our ridings and across the province, because we know, just like Casey House, that home hospices and many other hospices do not get any government funding. They are run on private donations, and that's why this exemption today will be very, very important for them.

Obviously municipalities are going to want to do that, and the hospices themselves are very, very much in favour. I've been told by the smaller and medium-sized hospices who own their own offices and land that this is a saving of roughly \$6,000 to \$8,000. This may not be a whole lot in the grand scheme but, operating on a tight budget, it is absolutely critical.

Fundraising has become more and more competitive these days—there are lots and lots of good causes out there—and this fundraising is often from the same sources. To have to fundraise, though, to pay taxes is kind of a difficult feat, and it's not fair to be asking places like this to have to do that. So what this will do is make sure that the fundraising they do, the funds they have, will go directly, flow directly into care for the patients who are dying, and their families.

What I would say in closing is that I can't imagine that there'll be one person in this Legislature today who will vote against this. I'm very pleased that it's before us, and I commend the member for doing so. I do, however, say to be cautious in terms of how the municipalities are going to deal with this as we bring forward more and more good causes that I agree should be exempted.

I know that in the really wonderful notes and backgrounder that Mr Flynn provided for members, and I thank him for that, because it was very good background information, he lists some of the other charities and non-



profits that are already exempted: Boy Scouts, Girl Guides, children's aid societies, large non-profit theatres, veterans' organizations, houses of refuge, and there are more, I believe, and there should be more to come. But as we do this and as we bring under this umbrella these good causes that should not be paying property taxes, we do have to look at the second piece of this and see how we can deal with the revenue that is being lost to the municipalities that count on their property taxes to get them through their budgets every year and to be able to provide so many of the vital services that they are now asked to provide on top of what we normally saw as just municipal hard services. That is the one caution that I would bring forward today.

1140

**Mr Baird:** I'll just speak briefly to this bill. I want to congratulate the member for Oakville. This is an excellent initiative and one of the more meaningful private members' bills that we've seen. I think there's this view that somehow everyone should get a grant, but the first thing we should do to organizations like hospices is, don't tax them. It's an excellent initiative.

The member for Toronto-Danforth talked about Casey House and June Callwood and the excellent people who make that a reality. I know a number of individuals who are on the board there and do a phenomenal job.

In Ottawa, we have the May Court hospice, which I think is an important community institution that provides palliative care to some really vulnerable people. I visited it not two or three months ago, and the morning that I visited there were two people who had passed away in the evening, one only an hour before I arrived. To see the staff and volunteers at that centre—they do an outstanding job. I know they would benefit from the consideration that I believe the Ottawa city council would provide, should this bill pass. I would certainly be very supportive of it.

There has been a bureaucratic problem that has happened with respect to the May Court hospice. Their funding has been cut off. They were funded by the community care access centre, which was a rather innovative way to provide palliative care. That was cut off. Some members intervened and it's going to continue until the end of March. But they're sitting with a rather uncertain future with respect to their provincial funding.

I know that, to be non-partisan, none of the members in Ottawa—Conservative, Liberal, what have you—would want to see that organization go without funding, whether it's the member for Stormont-Dundas-Charlottenburgh or any of the other Liberal members for Ottawa. I think this was an unintended consequence, but nonetheless is a meaningful problem facing the volunteers who work at the May Court hospice. It has to be addressed. I would use this opportunity, once again—we appreciated the extension until the end of the fiscal year, but we've got to address that. It's too much to ask for the volunteers and staff to take their attention away from those people who are sick and in need of care, some of whom spend nine months at May Court. Others will

spend as little as 15 minutes when they arrive very late in their struggle with cancer or AIDS.

So I would just use this opportunity to encourage the minister and the government to do the right thing on this. I know they want to. I would just encourage them to do it expeditiously so that they can put all of their love and care into dealing with the patients. I was tremendously impressed with the folks there. I look forward to hearing from the members for Etobicoke Centre and Simcoe North. Both members care passionately about these issues.

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm pleased to rise in support of the member for Oakville's bill dealing with palliative care. One of the things I'd like to mention is that palliative care isn't restricted to the elderly; it's across the whole sector in terms of age. In our communities, a lot of our folks who live there do not have extended families, so often at the end of their life, be they in their 20s, 30s or as infants, they don't have somebody that they can go to and say, "Come and help me," other than their community. That's one of the critical roles that a hospice plays: the community reaching out to people in need within the community, and that's one of the reasons why the member for Oakville's bill is only one piece of that puzzle that will continue to be put together as the strategy is built over the next year—an important and integral part. What it does, again, is recognize the inequities around the province dealing with palliative care, end-of-life care.

The fact that you can have a member—thank heavens that he's there—who went out and supported a particular hospice and enabled them to get back their taxes is phenomenal. Maybe we could duplicate him and send him around the province so he can do it for each. There's another member who says that, in fact, the community care access centre has withdrawn funds, when in other cases they're supporting it. It that inequity that is occurring right now across the province in our palliative care, and that's why this type of bill will make a and will make those changes happen.

One of the reasons that it's enabling as well—that's the part I like. It's time that municipalities sit down with their hospices and develop strategies for their community to meet their communities' needs. A hospice cannot work in isolation from its municipality, nor should it work in isolation from its provincial government or, for that matter, in isolation from its federal government. If you'd like to get down to the crass reason why, it's because the person requiring palliative care is a member of each of those governments in terms of participation and voting as a constituent. So all levels have the responsibility to develop that comprehensive strategy for end-of-life care. Nobody is immune to that.

I recognize the challenges, but at the same time, there are opportunities. Currently a hospital bed costs anywhere from \$1,000 to \$1,200. Emergency wards are lined up with people trying to get in, and yet we know that well-managed palliative pain care, for example, can withdraw the need for that person to go to an emergency

service in a hospital and thereby eliminate part of that lineup. But that pain care has to be managed, and managed well, and the place to do it is in a palliative care centre.

We know we can do it, and we know we can do it at about a third to two thirds of the cost, depending on the region. That's phenomenal. We also know that it's not restricted in terms of geography, because palliative care centres are in 400 communities across this province. Think about that: 400 communities are served by 90 palliative care centres. Obviously, the need is there; it has been identified. We have something that enables us to put another piece of that puzzle together on how we develop that strategy. We need to engage everybody in that discussion, because you're right: As you download, where do costs come from in terms of trading off the cost for the property? But at the same time, we also know on the plus side that you're going to reduce costs in your hospitals, either through the beds or through the emergency wards.

I go back and state again—I don't know if you remember—that there are actually hospitals in this province that charge you a surcharge if you do not die in time, if you're a palliative care patient. I find that outrageous. It's just another reason why palliative care hospice centres must be an integral part of our health system in Ontario. It was recognized federally through the Romanow report; our own Minister of Health, George Smitherman, has identified home care and palliative end-of-life care as an integral part of what he's talking about; now we need to engage those municipalities in that same discussion, and we need to put that strategy together sooner rather than later. Although I indicated it is not restricted to the elderly, there is no question that a proportionate number of people requiring that service are elderly, and a lot of them would like to die in their own homes. I would like to again support my colleague and commend him for bringing this forward.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise in support of this legislation. Again, I'm going to say what I've said before in this House: Sometimes the private members' bills that come forward are, I think, more valuable to the citizens of the province than the government legislation, and this is a good example right here. The short title is the Municipal Amendment Act (Hospices Exemption), 2004. The bill proposes to grant municipalities the capacity to exempt independently managed, not-for-profit hospices from property taxes. I couldn't agree more with this, because I think that the hospices we have in our province do absolutely fantastic, valuable work, and again, it's all volunteer. That's what is so important about it.

I would like to speak for a couple of minutes about the two hospices I have in my riding. First of all, Hospice Orillia—and I have a little more detail on it—is run by executive director Bonnie Jerney, and Jeff Smith is the president. All the volunteers on Hospice Orillia work up to 30 hours of training. There is a total of 85 volunteers in the Hospice Orillia alone, providing almost 2,000

hours of volunteer services a year to the citizens of Orillia and district, which includes the three or four townships around Orillia and the First Nations.

**1150**

They work of course with palliative care and in a lot of cases the end-of-life circumstances in homes, at the hospital and in our long-term-care facilities. As well, they do a lot of fundraising on their own. This coming winter, there's a gala evening out at Geneva Park. It's one of the largest fundraisers they have, and that gala evening will be on March 5 of this year. If any of my colleagues in the House would like to buy tickets and come up for a beautiful weekend in Simcoe North, I can make sure you attend this gala evening with me because I will be there.

As well, I have an organization started by a lovely person by the name of Bev Geroux, and it's called Hospice Huronia. It works with the two hospitals in the Midland-Penetanguishene area, the Huronia District Hospital and the Penetanguishene General Hospital. They call themselves today the North Simcoe Hospital Alliance because they've done some neat things around the coordination of the administration of the two hospitals, and the boards work together as well.

The president of Hospice Huronia is another gentleman who does a lot of volunteer work in the Midland-Penetanguishene area, a gentleman by the name of Jim Malcolm. His two managers at Hospice Huronia are Heather Graham and Kathy Gordon. Again, they do all kinds of work with assorted long-term-care facilities and the two hospitals, and a lot of work with people in their homes with palliative care and near-the-end-of-life circumstances.

Anything we can do for our volunteers and our health care system that would be of any kind of benefit at all, and that would mean tax relief on property they own or encouragement for volunteers, I think is a step in the right direction at any time, by any political party, in any province or country.

I don't know how we'd perform without volunteers in our great province, especially in the health care sector, where not only the hospice folks work day in and day out with thousands of volunteer hours, but also the volunteer auxiliaries we have in all of the hospitals across our province where folks spend tens of thousands of hours a year providing volunteer services to our hospitals.

With that, I will be supporting Mr Flynn on this bill. I wish you good luck in this private members' time. I think a lot more private members' bills should be going through and becoming law instead of playing around with some of these pit bull and bring-your-own-wine junk bills. This is the kind of thing we should be debating.

**Mr Brad Duguid (Scarborough Centre):** I'm pleased to participate in this debate as well. I've been listening carefully to the excellent comments from members from all sides of the House on this.

The days of treating municipalities like mere creatures of the province are over. That ended over a year ago



when this government took office. The McGuinty government is forging ahead with an effective relationship with municipalities that, frankly, is probably more effective than we have seen not only in the last number of years, but probably more effective than we've seen in generations.

We understand that municipalities are a bona fide level or order of government, and they should be treated as such. We recognize that they're elected and have just as much legitimacy as we do here at Queen's Park or as they do up on Parliament Hill. This bill is in keeping with the spirit of that approach. It's time to start treating municipalities like they deserve to be treated. It's time to give municipalities the respect they've earned. This bill, as I said, is in keeping with this approach. That's why I am absolutely pleased to lend my support to it.

I want to commend the member from Oakville. This is a member who has been here for over a year now. This is a terrific initiative that he's moved forward on. In the short period of a year, this member has also helped preserve 1,300 acres of environmentally sensitive land in his Oakville community. He was also a key player in the very important deal that was made with Ford Canada in Oakville, where something like 4,500 jobs have been secured, and in terms of spinoff jobs, probably 20,000 to 30,000 spinoff jobs. So I just want to take this opportunity to thank the people of Oakville for sending Kevin Flynn to us here in the Legislature. He's my seatmate. His Irish sense of humour keeps us in the back row here very engaged throughout, and he has had an incredible impact here in a short year at Queen's Park.

Every Ontarian, every human being deserves to be treated with dignity when they are going through their last days. Nobody deserves to die alone. Nobody deserves to die in squalor. The number of hospices in this province is growing. Most of the facilities are run through charitable donations, with the help of volunteers.

Our health care system as a whole is already growing at an unsustainable rate. The prospect of finding additional funding—some members opposite are suggesting trying to expand the hospice system. At this point in time, that's probably not terribly realistic, so I think it's important that we move forward with an initiative that will provide some assistance, that will at least provide municipalities with the ability to, if they so choose, provide some property tax relief to hospices. We're not saying they have to do it; we're saying that if they choose to do it, we're giving them permission or the ability to do these kinds of things.

That, I think, is important. Why would we want municipalities—and some are—why would we force them to have to provide municipal grants to hospices rather than waive or exempt them from property tax? Why would we make them go through that red tape? It just doesn't make sense. The member from Oakville recognizes this through his experiences as a regional councillor, and I am very happy that he has brought those experiences here today and brought this bill here before us today.

The McGuinty government respects the ability of our municipal councils to make their own minds up on these kinds of issues. At the same time, we are doing our share as well to ensure that these communities continue to fulfill their potential. Look at the two cents of the gas tax that's beginning to flow now. Look at the partnering that we've had with the federal, provincial and municipal governments for the \$1 billion in public transit that's going to the TTC.

Minister Kwinter recently announced an initiative to put 1,000 more police constables on our streets in partnership with the municipalities. My own minister, the Minister of Municipal Affairs and Housing, recently signed an agreement with AMO to ensure that whenever we're making decisions here at the province, whenever we're getting engaged in federal-provincial decisions that impact municipalities, the municipalities will be consulted. We believe that municipalities should have the ability to make these kinds of decisions.

I'm delighted to have an opportunity to speak to this very important bill here today and to commend Mr Flynn for bringing it forward.

**The Deputy Speaker:** Mr Flynn, you have two minutes to reply.

**Mr Flynn:** I certainly did appreciate all the comments from all of the members, those being from Parry Sound-Muskoka, Trinity-Spadina, Toronto-Danforth, Brampton Centre, Etobicoke Centre, Scarborough Centre, Nepean-Carleton and Simcoe North. I hope I didn't leave anybody out.

I want to summarize by making sure, as I try to make you this offer you can't refuse in supporting my bill, that you understand that this is about choice. It's not compelling a municipality, it's not forcing a municipality to exempt a hospice from property tax; it's giving the option to provide that exemption to the municipality. The decision would be made by a duly-elected council of that town, city or region.

When you talk about the financial aspects of this bill, and you look around the province—take a look at the Hospice of London. It is going to owe about \$16,000 this year in property taxes. There is another project called the Hospice of Windsor and Essex County, and it's considering what's called a hospice village. Its property tax bill for this could exceed \$100,000 a year. We're saying that at this current point in time, should the municipalities choose to do so, they could save up to \$60,000 annually at the hospice level, and leave that \$60,000 with the hospices and allow them to do the good work that they are intending to do, and perhaps even grow the system a little bit.

It costs about \$200 a day to run a residential hospice bed; at a non-teaching hospital, \$647. In a teaching hospital, that figure rises to \$907 a day. There's some economic sense in supporting this bill as well. I would urge all members to support it. I'm sure by doing so, you will tell all those volunteers in the hospice sector how much you appreciate the work they do.

**The Deputy Speaker:** The time provided for private members' public business is expired.

#### PROVINCIAL STATUTORY HOLIDAY

**The Deputy Speaker (Mr Bruce Crozier):** We'll deal first with ballot item number 39, standing in the name of Mr Colle. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

#### MUNICIPAL AMENDMENT ACT (HOSPICES EXEMPTION), 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR LES MUNICIPALITÉS (EXONÉRATION ACCORDÉE AUX HOSPICES)

**The Deputy Speaker (Mr Bruce Crozier):** We will now deal with ballot item 40. Is it the pleasure of the House that the motion carry? Carried.

**Mr Kevin Daniel Flynn (Oakville):** Mr Speaker, I'd ask that this bill be referred to the standing committee on social policy.

**The Deputy Speaker:** Agreed? Agreed.

Pursuant to standing order 144, I'd like to take this opportunity to send a message to my wife, who is at home on this day, our 43rd wedding anniversary. I love you, dear. Happy anniversary.

All matters relating to private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1202 to 1330.*

#### MEMBERS' STATEMENTS

##### ANNETTE LISABETH

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I rise today to tell the tale of Norfolk's golden girl, Annette Lisabeth. Annette is 20 years old and is legally blind. However, over the past few years she has not allowed her impairment to stand in the way of her dream, and that was to compete in Athens at the Paralympics.

Not only did Annette earn her way to Athens as a member of Canada's goalball team, but she also managed to bring home a gold medal. While Annette is a natural athlete and comes from a family of athletes, she still dedicated much of her time—six days a week—to working out the in the gym practising over the past year.

Norfolk county is certainly proud of this young lady, who has captured the hearts of many with her humble attitude and positive outlook on life. Just recently, the community of Langton threw an open house in Annette's

honour. She was escorted to the community centre in a fire truck and was given a true heroine's welcome.

Annette's family and the entire community will be able to reflect on this athlete's accomplishments for many years to come, as her name and accomplishments will be memorialized on signs entering Langton.

On behalf of this House and on behalf of my constituents in Haldimand-Norfolk-Brant, I congratulate Annette on her gold medal and I wish her well for the future.

##### MARLENE STEWART STREIT

**Mr Tony C. Wong (Markham):** It is with great pride that I rise today to acknowledge and congratulate the achievements of a great Canadian and a resident of Unionville in my riding of Markham. This past Monday, Marlene Stewart Streit was inducted into the World Golf Hall of Fame. In addition to this great achievement and honour, I would like to note that Marlene Stewart Streit is the first Canadian to receive such an honour.

In 1953, at only 19 years of age, Marlene Stewart Streit won the British Women's Amateur. This great Canadian, whose contribution to the world of golf spans six decades, is the only golfer to have won the Canadian, Australian, British and US women's championships. Just last year, she won the US senior women's amateur for the third time.

Ms Marlene Stewart Streit is a wonderful role model for all Ontarians and Markham residents alike. Her career demonstrates how a commitment to physical activity, hard work and dedication can result in great things. Today this trailblazer continues to contribute to the world of golf as a mentor encouraging and supporting young people, particularly young women, in improving their skills. Forty years ago, Ms Streit had the foresight and generosity to establish the Marlene Stewart Streit Awards.

Once again, in recognition of this historic event, I congratulate this amazing woman who is a trailblazer not only for women golfers, but for all Canadians. It is my privilege to salute Marlene Stewart Streit as the first Canadian to be inducted into the World Golf Hall of Fame. I certainly know who to ask for advice now when on the greens of York Downs golf course in Markham.

##### PIT BULLS

**Mrs Julia Munro (York North):** Yesterday I was pleased to join with the members of the Staffordshire Bull Terrier Club of Canada on the front lawn of Queen's Park. I enjoyed the chance to meet with the owners and breeders, and especially with many of their friendly and talented dogs.

Owners and breeders know that a safe dog is one that grew up in a responsible home. It is a dog that was trained to respect people and other animals. Dogs that bite or attack usually come from homes where they themselves have been abused or mistreated.



This government will not prevent dog attacks by passing breed-specific legislation. Breed-specific legislation has been tried elsewhere and failed. In fact, there are now 12 American states that specifically forbid breed-specific legislation from an unhappy experience at attempting to do the kind of thing that this government is trying to do now.

Who else is against this bill? Here is the list: the Humane Society of Canada, the Ontario Veterinary Medical Association, the Canadian Kennel Club, the Canadian Federation of Humane Societies, the Toronto Humane Society, the Winnipeg Humane Society, the Canada Safety Council, the Dog Legislation Council of Canada, the Pet Industry Joint Advisory Council.

What this government should do is pass reasonable and enforceable dangerous dog legislation, not outlaw specific breeds. Ban the deed, not the breed.

#### ONTARIO FILM AND TELEVISION INDUSTRY

**Mr Rosario Marchese (Trinity-Spadina):** There's a jobs crisis in the film and television industry in this province. Over 50,000 jobs depend upon this industry, and most of them are in Toronto and area. Liberals had promised to boost the Ontario film and television tax credit from 20% to 33%. They also said they would increase this credit for feature films from 20% to 40%. We have yet to see the benefits of this promise. The film industry is suffering.

Foreign-project filming in Ontario declined a stunning 36%, or \$200 million, in 2003. Film Ontario stated that the Ontario film and television industry is extremely concerned about the lack of competitiveness in Ontario's domestic and service tax credits, and it's only going to get worse. The US will soon have new lucrative tax credits. Manitoba has tax credits of 35% or more. In contrast, Ontario's incentive is only about 11%.

When we asked for support for one of the most important industries in Ontario, the finance minister said his government will help generate a skilled labour and talent pool and will build infrastructure.

Minister, I want to let you in on a secret everyone knows: Ontario already has the talent and the skill, and one of the best infrastructures in the world. What production companies need is a reason to come to the Toronto region.

Your investment of \$1 creates a return of \$2. This is not support; it's investment. You should do this for the economy, for performers, for the industry and for Toronto. The film industry needs your help, Premier. Keep your promise.

#### FOSTER AND ADOPTION FAMILIES

**Mr Ernie Parsons (Prince Edward-Hastings):** I would like to say a special thank you to a group of people I view as unsung heroes in this province. They are the natural and adopted children of foster parents.

When adults make a decision to foster, the family automatically becomes part of the team. But for the children, it means that they now have to share their room, their toys; they have to share their friends. They have to share the family secrets that tend to become part of the community. But even more importantly, they have to share their parents.

As I believe most people know, the most valuable thing we own is time. So the foster children will take the time that could have gone to the others, and they do it wonderfully. I consider them heroes, because they are very much part of the fostering team. They experience the joys of sharing with the foster children, and they share the sorrow when the foster children move on to another home or return home. I believe we owe a great thank you to them.

I also would like to say a special thank you to Anne and Gerald Dafoe, foster parents in my community who have fostered for over 30 years. I cannot imagine or count the number of children whose lives they have positively affected. Yet in spite of their commitment to children, Anne finds time to be a trainer for the agency, to serve as an advocate for foster parents, to be involved provincially with the Foster Parents Society of Ontario—a wonderful family that is a role model for everyone in our community and this province.

So, on behalf of, not just this Legislature, but the people of Ontario, I would like to say thank you to Anne and Gerald Dafoe.

#### PREMIER OF ONTARIO

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise today and make a few comments on Mr McGuinty. I want to begin by congratulating him on placing a bet with Mr Gordon Campbell, hoping that the Argos will beat the BC Lions.

I thought what was really important about that bet was that we're so fortunate to have a Canadian Football League. Why? Because under the guidance of a gentleman by the name of John Tory, he rebuilt that league and revitalized it to what it is today: sellouts. We're very proud of the CFL.

Guess what's happened? Although we have a good relationship with BC this week, what's happening to the eastern coast? Mr McGuinty is doing a number on another Premier, Mr Danny. I'll read from this morning's Globe and Mail:

"Williams's Oil Fight Hits McGuinty.

"Danny Williams's fight to hold on to resource revenues took another bizarre twist yesterday when the Newfoundland Premier vowed he had a handwritten letter of support from Ontario Premier Dalton McGuinty, only to have Mr McGuinty's office deny they had ever heard of such a thing."

What good is a handwritten letter from Dalton McGuinty anyway? I have this handwritten letter from Dalton McGuinty, the taxpayer protection pledge. This man said he would not raise taxes. Guess what? He

signed it during the election campaign and broke his promise. He will create deficits and increase taxes. Thank you, Mr Speaker, and good luck to the Argonauts.

1340

### PUBLIC INQUIRY

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** It gives me great pleasure to rise today and, first, welcome page Laura St Marseille from my riding, and speak on an issue that is of utmost importance to my riding of Stormont-Dundas-Charlottenburgh.

On November 4, 2004, the Premier stood before this House and committed to the people of my riding that a full public inquiry would be called in the Project Truth investigations once all criminal proceedings were concluded.

I'm happy to announce today that on Monday, November 15, 2004, the last of the criminal proceedings were concluded, and yesterday the Premier, myself and the Attorney General, Michael Bryant, committed to holding a full public inquiry in this case. Thank you, Minister Bryant.

The Project Truth investigations and subsequent criminal proceedings have clouded over the Cornwall area for the past decade. With the announcement of this public inquiry, the truth of allegations of misconduct and alleged cover-ups will be able to come to light. The people of Cornwall and area will be able to lift this cloud of allegations and have these investigations come to a conclusion.

I look forward to working with the Attorney General's office to ensure we get the terms of reference right for this inquiry. I will welcome Minister Bryant to my riding in the near future to meet with the victims' groups and stakeholders to ensure that justice is served for the people of Cornwall.

As a candidate in the 2003 election, I championed this issue. During the past year, I worked tirelessly with the Attorney General's office to ensure this issue was constantly on the agenda. I applaud the victims' groups and both Alain Seguin and Paul Scott for their determination in this cause, and am proud to be part of a government that has respected and supported the concerns of Stormont-Dundas-Charlottenburgh.

### HEALTH CARE FUNDING

**Mr Brad Duguid (Scarborough Centre):** Waiting times for surgery and MRIs are of great concern to the people of this province. Ontario wants and needs a health care system that can deliver timely access to crucial procedures such as MRIs, hip and knee replacements, cancer surgery, cataract operations and cardiac surgeries.

Yesterday, the McGuinty government announced new funding of \$107 million to reduce wait times. That's \$107 million. In fact, this money will take a one-year bite out of waiting lists for Ontarians. This money comes from the recently negotiated federal-provincial accord on

medicare, and unlike the previous government, we are actually going to spend this money on health care.

**Interjection:** What a novel concept.

**Mr Duguid:** A novel concept.

With this investment, we will see 1,680 more hip and knee replacements, 805 more cardiac surgeries and 2,000 more cataract operations, as well as more cancer surgeries and longer hours of operation for MRIs.

Not only will this money go to reducing waiting times; it will also go toward building a waiting list registry, which will, for the first time, give Ontarians a reliable measure of how long waiting lists are. For the first time in a long time, the people of Ontario have a government that is committed to improving health care in this province through meaningful investments in areas that matter to average citizens.

Transforming the health care system in this province is a formidable challenge, but with the leadership of our Premier and our Minister of Health and with the leadership and dedication of our caucus, we are going to get this job done.

### GREY CUP

**Mr Mike Colle (Eglinton-Lawrence):** This Sunday, all eyes will be on the nation's capital, Ottawa, because it is the 95th year that the Grey Cup will be celebrated. We've got two great teams, one from the west coast, British Columbia, versus our own Toronto Argos, representing this great province of Ontario.

As you know, Mr Speaker, this spectacle that brings Canadians together will bring tens of millions of dollars into the Ottawa economy. It is also a great celebration of an historic Canadian event that brings players from across Canada to demonstrate that we in Canada have something distinctive, something to be very proud of, something that is uniquely Canadian and something that hopefully our young people will continue to appreciate and be part of.

So we invite everybody from across Ontario to get together at family parties, to visit their local restaurants, to be in Ottawa at the game, and to celebrate not only football, not only the Grey Cup, but two different parts of the country coming together not in controversy, not bashing each other, but in good, clean competition at the Grey Cup. This Sunday hopefully we'll all partake in this great Canadian event called the Grey Cup. Go, Argos, go.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON ESTIMATES

**Mr John O'Toole (Durham):** I beg leave to present a report from the standing committee on estimates.

**The Clerk-at-the-Table (Mr Todd Decker):** Your committee begs to report the following resolutions:



Resolved, that supply in the following amounts and to defray the expenses—

**Interjection:** Dispense.

**The Deputy Speaker (Mr Bruce Crozier):** Dispense? Thank you.

#### VISITOR

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: I'd like to welcome His Worship the mayor of the spectacular city of Hawkesbury on the eastern border of the great empire of Ontario, Mayor Jacques Hétu.

**The Deputy Speaker (Mr Bruce Crozier):** That's not a point of order, but we certainly welcome you, sir.

#### MOTIONS

##### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I believe we have unanimous consent to move a motion with respect to tonight's sitting.

**The Deputy Speaker (Mr Bruce Crozier):** Do we have unanimous consent? Agreed.

**Hon Mr Duncan:** I move that, notwithstanding the order of the House dated Monday, November 15, 2004, when the House adjourns today at 6 pm, it stand adjourned until Monday, November 22, at 1:30 pm.

**The Deputy Speaker:** Mr Duncan has moved that, notwithstanding the order of the House dated Monday, November 15, 2004, when the House adjourns today at 6 pm, it stand adjourned until Monday, November 22, at 1:30 pm.

Is it the pleasure of the House that the motion carry? Carried.

#### CONSIDERATION OF BILL 18

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I believe I have unanimous consent to move a motion without notice respecting Bill 18.

**The Deputy Speaker (Mr Bruce Crozier):** Do we have unanimous consent? Agreed.

**Hon Mr Duncan:** I move that the order referring Bill 18, An Act respecting the Provincial Auditor, to the standing committee on the Legislative Assembly be discharged and the bill instead be ordered for third reading, and that the order for third reading of Bill 18 may be called today.

**The Deputy Speaker:** Mr Duncan has moved that the order referring Bill 18, An Act respecting the Provincial Auditor, to the standing committee on the Legislative Assembly be discharged and the bill instead be ordered for third reading, and that the order for third reading of Bill 18 may be called today.

Is it the pleasure of the House that the motion carry? Carried.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### DEMOCRATIC RENEWAL

##### RENOUVEAU DÉMOCRATIQUE

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I rise today to tell this House of an important step in advancing the most ambitious democratic renewal agenda in Ontario's history. We are taking the necessary steps that will renew Ontario's democracy and make it stronger.

I will remind members of this House that we have introduced bills to fix election dates on the first Thursday of October on a four-year cycle, a bill to mandate attendance at question period, we're expanding the Provincial Auditor's powers—

**Mr Norman W. Sterling (Lanark-Carleton):** On a point of order, Mr Speaker: I'm reading the statement provided to me and required to be provided to me by the minister, and it's not included in this statement, sir. Could I have a copy of the statement? I'm not hearing what's in the statement.

**The Deputy Speaker (Mr Bruce Crozier):** Perhaps you could arrange for him to have what's necessary, and we'll all listen to the statement.

**Hon Mr Bryant:** We will be having pre-election audits, a ban on partisan government advertising, and this House, of course, now has a bill that, for the first time, was introduced in the House by a committee.

1350

This morning, I joined the Premier in launching the next step in our government's ambitious democratic renewal agenda—paragraph 4.

We announced historic measures that will give citizens a stronger voice in shaping Ontario's democracy than ever before.

The first is a citizens' jury on political finance. We'll be setting up that jury to find ways to reduce the influence of money in politics in Ontario and give people more confidence in our democratic system. The citizens' jury will be a deliberative body made up of ordinary citizens. It will look at a range of issues, including expense and contribution levels, reporting requirements, leadership contests and pre-election periods. It will make recommendations on the future of Ontario's political finance system after considering a draft bill on the subject.

Secondly, we will also establish a citizens' assembly on electoral reform. The assembly will look at how Ontarians elect their representatives, the most wide-ranging and comprehensive examination of our electoral system since Confederation.

C'est la première fois en Ontario qu'un gouvernement donne aux citoyens un rôle aussi important dans l'élaboration de notre processus politique et de son fonctionnement.

We kicked it off with a launch of a public dialogue on democracy, which is going on here today at Queen's Park. I know that some members have been over to participate in some of the sessions. Everyone has been invited to attend, and I know some have been there. I know everybody is very busy here in the Legislature today, but I welcome all members to come and attend. Of course, there will be a reception at the end of the afternoon as well. I have to say, I think it's going very well.

Today's dialogue begins this important conversation with Ontarians. It's the first of many we'll be having with Ontarians across the province about improving the quality of our democracy, modernizing our political institutions and diversifying political participation. We must modernize our democracy in Ontario; there is no doubt. I think we all agree and understand that there is a malaise that the people expect us to do something about. This is an important step in that direction.

**The Deputy Speaker:** Responses?

**Mr Sterling:** It's odd, as we go down this path, that the announcement for this initiative in terms of democratic renewal is made outside the Legislature, that there is no opportunity within this Legislature to debate this important matter—

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Sterling:** —nor is there any motion on the floor for us to consider how this should be done. We are the elected representatives of the people of Ontario, and I believe the elected representatives of Ontario should have some say about how this particular democratic renewal process goes forward. It is not within the realm of the Liberal Party of Ontario to decide how the next 100 years of our history are going to be shaped. It is up to, first, our elected representatives of this Legislative Assembly to at least have some input as to how this democratic renewal process should take place.

I have not been consulted with regard to today's announcement. I am not aware of any other member of the opposition who has been consulted with regard to this. The public should know that this is a partisan exercise.

I want the government to be straight with the people of Ontario. Today, the Liberal Party of Ontario is setting us on an irrevocable course toward proportional representation. The government knows full well that it is likely damning the people of Ontario to perpetual minority Parliaments, coalition governments and long-term instability.

I can't think of anything more undemocratic than the way this government has set forth on this process. If we're looking seriously as to how we can improve our democratic system, we should start with a completely different attitude on how we conduct ourselves in this

place. This must start with having the Premier and his ministers making better use of government backbenchers and opposition MPPs. It should start with having ministers or their parliamentary assistants being in the Legislature when bills they introduced are being debated. It's all too common during debate to look across the floor and see no ministry representative. It means that an MPP's input will never be considered because we know it never will be heard.

During the last election campaign, the government talked about some of these things. The Premier even made promises to change the way business was going to be conducted here. Unfortunately, nothing has happened. If this government doesn't start to act on its promises it made to fix this place, it won't matter who gets elected or how we get elected. The Premier doesn't understand that democratic renewal is about regaining the respect of the people in our politicians and the institution of Parliament.

Unfortunately, this government has contributed more to public cynicism in a single year than any other administration in the history of this place.

Let's look at your record on reform in this legislature. You promised, "We will live within our means by balancing the budget and not adding to the debt. We will comply with the Taxpayer Protection Act and balanced budget legislation."

The Premier broke his signed pledge to hold a referendum before raising taxes. The Premier continues to refuse to take the tax increase to a province-wide vote, in accordance with the law.

The Premier vowed to "make sure all non-cabinet MPPs are free to criticize and vote against government legislation." We've had 40 government bills and we haven't had one government backbencher stand up in opposition to any of the 40 government bills.

Our leader, John Tory, believes that the best way to fix this place is for politicians to keep their campaign promises to respect the role of MPPs, fix the lack of productivity in this Legislature, improve the decorum in this House and improve the flow of information to the public and the opposition. We have to start inside before looking outside.

**Ms Marilyn Churley (Toronto-Danforth):** I've got to say that I think this is the shortest minister's statement the Attorney General has ever made. He went on much longer about pit bulls, and I'm surprised that on such an important announcement as this today, there were not more details given.

I have some comfort for the member for Lanark-Carleton when he complained about not being consulted about this. I went to the announcement, and the problem was, there wasn't much detail. There wasn't much of an announcement today in terms of where this is going, and that's why I believe the minister's statement was so very short today in the Legislature.

This is an important issue to a lot of people in Ontario. Equal Voice, the organization that I've been working with, and women from your party and the Conservatives are looking forward to the democratic renewal process,



and in fact we want to make sure that this process that is put in place is reflective of all in our society and is truly non-partisan. We make no bones about it. New Democrats have been advocating for proportional representation for a long time, and that's why it's so critically important that it be done right. We need to see even more pressing reforms in campaign financing and enumeration if we're really going to fix the system in Ontario. The minister mentioned all of these today in those little fact sheets and questionnaires for people who were at the meeting today, but there are really not a lot of details.

1400

I was surprised in the scrum that the Premier, when asked about proportional representation and his views on it, almost treated it like a dirty word. He didn't want to go there. I believe that it's really important that we understand that there are different forms of proportional representation and that, in order to change the system so we have more women and more visible minorities and representation from our communities, that's where we have to go. We're confident that if the right kind of citizens' forum is put together that is truly independent, that reports to this assembly, not to the Attorney General's office, which is what they did in British Columbia—there are all kinds of conditions. We want to work with the government to make sure this would be a truly—

**Mr John R. Baird (Nepean-Carleton):** We want to help.

**Ms Churley:** Yes, we want to help—a truly independent process that reports to the Legislative Assembly, not to the Attorney General. That is critical.

I want to see principles and terms of reference in place that we all agree on so we can make sure that the direction the citizens' committee deals with is truly non-partisan and something that is agreed upon by all the members in this House.

The other thing that struck me today, which really concerned me, was some cherry-picking by the government in terms of which reforms they promised in the election that they would do early and which ones they seem to be hiding behind the citizens' jury on today. For instance, early on, the government announced with great fanfare that they're cherry-picking fixed dates for elections. That, in my view, should be part of the jury, if this is where you're going with all those promises. It should be part of the whole package. Why pick that one out and deal with it separately when you're looking at a bigger, comprehensive reform?

At the same time, a very important issue that I've raised many times in this House is real-time disclosure—financing, all those dinners with multi-thousands of dollars to buy influence with the government. The government promised real-time disclosure and won't do it. Why not do that one right away? Why send stuff like that to a citizens' jury? Just do it. That's a no-brainer. Why pick out certain parts of it that suit you now and leave things like real-time disclosure on donations to a

later date? Those are the kinds of things that can be dealt with right away.

So I say to the minister today that we didn't get very much detail at all about where this is going and what they're thinking. We need to make sure that some of these issues like real-time disclosure are dealt with now—why wait; just do it—and that a citizens' assembly and all those other things vaguely referred to today are very much part of a non-partisan legislative process so we can be sure there is not in any way political influence. Let me tell you: It's just human nature, when a government is in power, to sort of want to look at what kind of system might suit them and work best for them. It may even be subconscious; I'm not suggesting otherwise. But we have to watch out for those kinds of things.

## ORAL QUESTIONS

### SCHOOL TRUSTEES

**Mr Robert W. Runciman (Leader of the Opposition):**

A question for the Premier: Yesterday, I raised the issue of Toronto school board trustees backrooming a 200% pay increase for themselves. You responded that the policy was never approved or endorsed by any representative of the government. You also said that you didn't approve of the policy and that it was unacceptable.

Board trustees continue to stand by their assertion that Minister Kennedy had given tacit, if not direct, approval to this no-receipts-necessary slush fund. Yesterday, the minister, unlike you, was not prepared to condemn this unseemly practice.

Premier, who is speaking for the government on this? Who is telling the truth?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Obviously the Leader of the Opposition is entitled to choose the subject matter of his questions, but I'm not sure what more I can add today to what I provided by way of information and commitment yesterday. I gather he is attempting today to introduce some daylight between me and the minister, for obvious purposes.

Let me speak on behalf of the government once again. What the trustees did is unacceptable. It is not something we support. I've asked the trustees to reconsider this. I've also asked the minister to consider our options in the face of their decision.

**Mr Runciman:** It sounds like Minister Kennedy is marching to his own drummer. This policy has been in place for over seven months, it has cost taxpayers over \$200,000 and has now spread to the Peel public school board. Your minister clearly has a different view than you. He's not prepared to condemn trustees tripling their pay through the back door—no receipts wanted, no proof needed, no questions asked. That's apparently OK with Mr Kennedy. This is public money, Premier. Your

minister stood by, apparently, for seven months as trustees skirted the law and abused public funds.

Premier, will you now exercise some leadership, rein in your rogue minister and demand that trustees in Toronto, Peel and any other board engaged in this kind of inappropriate activity refund these ill-gotten monies to taxpayers?

**Hon Mr McGuinty:** Obviously I do not share the assessment of our Minister of Education, who has been working extremely hard on behalf of Ontario students and on behalf of the bright future of public education. I have nothing further to add to the statements I made yesterday and the one that I made just a moment ago.

**Mr Runciman:** The Premier is adopting the David Peterson strategy of speaking very quietly or mumbling when they have a difficult time responding.

At the Toronto board alone, it works out to \$204,000 in taxpayer-funded slush funds that trustees gave themselves, no strings attached. You have a responsibility to stand up for taxpayers, Premier, and order this money to be repaid.

This raises more serious questions, I believe, and I'm reminded of how your Minister of Finance did not disclose to you details of the securities commission investigation into a company he was formerly involved with. Now we have a Minister of Education who is openly and directly contradicting you. This raises serious questions about leadership, and I challenge you to start showing leadership today by immediately ordering the trustees in Toronto to repay all monies received from this fund and immediately order all other school boards to do the same. Stand up for taxpayers, Premier; do the right thing.

**Hon Mr McGuinty:** What we are witnessing is a tremendous effort to make something out of nothing. I have indicated already where we stand with respect to this action that was taken on the part of the Toronto District School Board. We do not approve of that. We do not condone that. I've asked the members of the board to reconsider that. My minister is here, I see, and I've asked him to review our options in light of the position that they have taken.

## HOSPITAL FUNDING

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier. Right across Ontario, nurses and other health care workers are worried about their future, their families and, most importantly, their patients. Hospitals collectively around Ontario are experiencing budget shortfalls of some \$600 million. Just this past month, hospitals right across the province had to submit proposals on cutting beds, on increasing waiting times and on laying off nurses and health care workers.

Premier, on October 16, one day after these transition plans were due, Tom Closson, the president of Toronto's University Health Network, said, "How do you make the trade-off between hip and knee replacements or hyster-

ectomies?" Can you explain how the hospitals are to make those choices?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** The honourable member will know that, by the process we've established, the choices, especially in the earliest stages of the process, which is where we're at, are not the choices that the honourable member referenced from Mr Closson's quote. The choices, very clearly, are between our dedication to patient care and our concern about not paying any more for administrative costs than is necessary in the Ontario health care system. The earliest steps in the process we've established with Ontario's hospitals direct them very clearly to areas the furthest away in hospitals from any involvement with patients or clinical care.

As a result of the efforts we made yesterday, in a speech to the Ontario Hospital Association, a breakfast that I had with the president of the Ontario Nurses' Association this morning, there's plenty of evidence that the hospitals, nurses and the government are working together with a view toward enhancing the quality of patient care and making sure that we're not spending any more in administration than is necessary.

1410

**Mr Baird:** That answer will be cold comfort to the nurses and health care workers at the London Health Sciences Centre, at the Ottawa Hospital or in Northumberland county.

The London Health Sciences Centre is projecting a \$38-million deficit. Their overall reduction is going to be 580 nurses and health care workers. They are going to have to close 130 beds. I want to ask you very directly, Minister: How should they have to make the choices between providing hip and knee replacements and cancer care for people in southwestern Ontario? I ask you very directly: How are they to make those choices?

**Hon Mr Smitherman:** As a result of the investments we made yesterday, hospitals all across the province are going to have additional resources to do both hips and knees and cancer treatments.

The honourable member, in his question, referenced the London Health Sciences Centre, one of the best hospitals we have in Ontario, deeply valued. "The head of London's largest hospital says he is optimistic massive staff cuts can be avoided." The headline was "Dagnone Optimistic Cuts Won't Be Needed." The London Health Sciences Centre president says he hopes to find "some creative ways to avoid layoffs."

What Mr Dagnone recognized and what others in the Ontario Hospital Association recognize, and the honourable member fails to—I made it much clearer in our speech yesterday—is that we are going to work with Ontario hospitals to get them into balance over a period of time with a process that is established. And the process that is established is clear: to drive resources to patient care and to save every penny possible from adminis-



trative costs because we know that at the end of the day Ontarians support that very principle.

**Mr Baird:** Patients and nurses and health care workers in Ontario see cold comfort from these expressions of feigned support from this Minister of Health. They saw his entire caucus, the entire government caucus, vote against a plan to put a moratorium on the layoff of nurses, a moratorium on the closure of beds in Ontario.

I want to bring up the case of Joseph Brant hospital, where the chief of staff, Dr Ben Carruthers, said, "Our surgeons are often forced to delay critical cancer surgery."

Minister, you are cutting beds, you are firing nurses with your plan to underfund hospitals, and now you take away \$600 million on October 15 and try to put in \$107 million on November 15. How can you possibly expect health care to improve and waiting lists to decline when even your own senior bureaucrat acknowledges that won't even happen until 2006?

**Hon Mr Smitherman:** I don't know what the honourable member's difficulties are with numbers, but let me just refresh his memory with a few. You want to hear about cold comfort? Cold comfort was the days when that party was the government in Ontario. Cold comfort was the \$557-million cut they inflicted on Ontario's hospitals as they closed 5,000 beds and many institutions across Ontario. Cold comfort is the \$721 million they left behind in unpaid bills buried in the books of Ontario hospitals. Cold comfort is the reality that that party projected to spend \$700 million less this year than we are. Every hospital in the province of Ontario got more money this year. And yesterday we made a \$107-million investment to address the priorities of Ontarians: wait times in five key areas.

The part that must really be cold comfort to the honourable member is the reality that the Ontario Hospital Association and Ontario's nurses are willing to work with the government to solve these challenges.

## HYDRO GENERATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, last night your government choked off debate on Bill 100, your law to privatize Ontario's hydro electricity.

*Interjections.*

**The Deputy Speaker (Mr Bruce Crozier):** Order.

**Mr Hampton:** We think this is an important issue to debate. We think it's an important issue and that people across Ontario ought to be involved in the debate.

Even the chair of Ontario Power Generation thinks there is an important debate. He says that Ontario Power Generation is still waiting for the provincial government, the company's sole shareholder, to define its likely role in the years ahead. He said he should have been able to present a five-year plan on hydro supply, but he can't, because the provincial government isn't giving the company any guidance on what needs to happen.

Premier, when the chair of Ontario Power Generation says there needs to be some clarity, some discussion and some debate, why is your government in such a hurry to shut down debate?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Energy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I would remind the member opposite that the opposition parties weren't able to keep the debate going last night. There wasn't a member here to speak to the time allocation motion. While we were all here and ready to go and used up all but eight minutes of our time, the debate collapsed when both opposition parties had 30 minutes each on their hands. They couldn't sustain debate for an hour on something that's that important.

Moreover, this government has set a clear direction on energy policy for the entire sector, and when Bill 100 is passed and we have created the Ontario Power Authority, we have the request for proposals on renewable energy that's coming out, probably next week, with announcements, and 2,500 megawatts on other power sources in January.

We have taken decisive action quickly to move things forward. The results have been lower wholesale market prices. The results have been a new conservation effort. The results are there and we're moving forward.

Bill 100 is the right bill. It had over 100 delegations at committee hearings all across the province—

**The Deputy Speaker:** Thank you, Minister. Supplementary?

**Mr Hampton:** What the Premier and the Minister of Energy wanted last night was for members to debate closure. People don't want to debate your pork chop of democracy. People want to debate the issues.

This is what Jake Epp says: "There are a lot of issues that need to be taken care of, whether you're talking about supply, you're talking about the market, whether you're talking about OPG's role," in the private market. But what is he saying? No direction. No five-year plan. Not even a one-year plan."

Premier, people don't want to debate closure. They don't want to debate your hatchet effort at democracy. These are real issues. Why are you so afraid of debating the issues that your own chair of Ontario Power Generation has raised?

**Hon Mr Duncan:** The members opposite didn't show up to talk about Bill 100 last night. It's that simple. The debate collapsed. You weren't here. You missed the debate.

Now, this government has put a new board and chair in place at OPG. We have made decisions about the future of the company, and we'll make them according to our timetable. Remember, when we came to office we inherited a company that was in complete disarray. We have to be deliberate and careful in the decisions we make. It would be impossible to turn OPG around in 10 months. The last thing we need to do is make knee-jerk decisions that result in flip-flops like we saw under the



previous government, because it creates even further instability. I'm the first energy minister in almost a decade to give clear and consistent direction to the sector. Given the strong response we've received to our RFPs, I believe the industry recognizes this.

We're moving forward in a deliberate and positive fashion. When Bill 100 passes, we will have a new power authority and conservation bureau. We believe these are the right steps to ensure a reliable, affordable, safe supply of electricity for the people of Ontario.

**Mr Hampton:** What a switch for the McGuinty government, who just this morning had this to say: "To me, democracy is precious, too precious to be taken for granted, too precious to be left to atrophy." Here, we've got the chairman of Ontario Power Generation, which provides two thirds of the electricity in Ontario, saying that there are important issues to be debated: whether there's adequate supply; he says they need a five-year plan. What's the answer of the McGuinty government? Chop off debate. No discussion allowed. No debate allowed.

Premier, I ask you, how can you talk about how precious democracy is in the morning and, at the very same time, chop off debate on one of the most important public issues that affects virtually everyone in Ontario? How can you talk about democracy and then do that?

1420

**Hon Mr Duncan:** The member probably hasn't read Bill 100. It deals with a limited set of variables. Unlike the member opposite, when his party tore up collective agreements across Ontario and had no public hearings, we had eight days of travelling public hearings across the province. We heard from 100 delegations. We received more than 600 written responses. We had eight hours of debate in the House on this bill. I'll remind the member that this is only the second time this government has used time allocation; we take its usage very seriously. That's far lower than the previous Tory government and, I remind the member, far fewer times than your government used time allocation in its history.

This bill has had public hearings across the province; it's had debate in this House. The opposition couldn't sustain the debate for even an hour last night. It's time to get on with the business of repairing Ontario's electricity sector. That's what we're doing, responsibly and deliberately, in the best interests of the ratepayers of Ontario.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. The national child benefit supplement is a federal strategy aimed at preventing and reducing child poverty. But your government, like the Conservative government before you, claws back this supplement from recipients of Ontario Works and the Ontario disability support program.

During the election you said, "We will end the claw-back of the national child benefit supplement. The claw-

back is wrong, and we will end it." After the election you changed your mind; you haven't ended it.

Premier, will you end the regressive clawback of the national child benefit supplement for Ontario's poorest families, or was this just another broken promise?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Community and Social Services.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** We do appreciate the question, because there are many poverty advocates who have been working with us to help us determine and do the very best we can for the families in Ontario who are our most vulnerable people. I know those advocates who were here today will appreciate the goodwill that we're showing on this issue of the national child benefit, because this year's amount that came from the federal government was left with families, and that was to the tune of \$7 million. Next year that amount will be even greater.

What we understand, and what they know too, is that what we currently do, decisions that were made back in 1997 with a quarter of a billion dollars, does roll in to help working families with child care. It does develop and has developed programs that help the most vulnerable in Ontario. We have very serious decisions that we have to make. I appreciate that the NDP may want to do that on the fly, but we can't. We have to do the responsible thing, and we are reviewing all of those programs. So we hope they know that the goodwill is there.

**Mr Hampton:** The minister talks about doing the responsible thing. I quote: "We will end the clawback of the national child benefit supplement. The clawback is wrong, and we will end it." Apparently, it was irresponsible to say that, because you haven't ended it.

Minister, representatives from the Income Security Advocacy Centre, along with the Centre for Equality Rights in Accommodation and the Charter Committee on Poverty Issues, were here today to launch a legal challenge against the clawback. They say the clawback is discriminatory and unconstitutional. They say you should do what New Brunswick and Manitoba have done: end the clawback. They have to bring their challenge now because poor families can't wait. They can't wait for you to dither on the promise the Premier made.

So I ask the Premier again, will you keep your election promise and stop clawing back the national child benefit supplement from the poorest families in Ontario?

**Hon Ms Pupatello:** We do appreciate the people who were here in the House today. We meet with them on a regular basis, and it is always around how we can better help our most vulnerable people. We appreciate the efforts they make on a daily basis, as do several ministers in our cabinet who work with poverty issues.

Let me say this: What we wish had happened in 1997 is that they had come forward like this to stop that clawback that did happen in eight out of 10 provinces across the country. We understood that we want more money to be in the hands of our most poor in this province, and to



show our goodwill, immediately upon forming government we stopped that clawback. All of the money that has come in addition to that since we've been the government has been left with families. Next year the amount is going to grow again.

The people across the way, the people on our side of the House, understand that the money that came from the national child benefit goes to determine very great programs. We've got big decisions to make. We're reviewing those programs and hope we can find a solution to this.

**Mr Hampton:** The minister talks about 1997. This isn't about 1997. This is about Dalton McGuinty, who said a year ago, "The clawback is wrong, and we will end it." That's what it's about.

I want to talk about some of the people who are here, people like Dave Lance, a 24-year-old single father of twin two-year-old boys, who knows that after the clawback, single-parent families live 48% below the poverty line. Paula Fillion, a mother of two, tries to survive on her husband's disability allowance. She knows that at the end of the month, you have clawed back from her and her family \$1,500 every month.

These are people who are trying to survive. You're taking money out of their pocket. You're taking money out of their pocket, when you said you'd end that. Are you going to end the clawback of the national child benefit, or is this just another McGuinty broken promise?

**Hon Ms Papatello:** We really are proud of the fact that the moment we took office, we stopped clawing back all of the new monies that the federal government has been pouring into the national child benefit. This year, that's \$7 million. Next year, it's going to be many more tens of millions, and that's going to continue.

What I can tell this House, and in particular the NDP, is that when we had financial troubles, when we discovered the \$5.5 billion worth that that last government left us, despite starting that clawback in 1997, we didn't do across-the-board cuts to the agencies that helped the most vulnerable like the NDP did during the social contract. We didn't go willy-nilly and just say, "Cuts to all of you, even though you do the work for the most vulnerable in this province."

We will be responsible about this. We understand that \$160 million of that money helps the working poor with child care. We also know that \$42 million funds programs that help our most poor. We have big decisions to make. This review is underway of how that money is being spent, and we are hearing from all of the people who run those programs to tell us of their value—

**The Deputy Speaker (Mr Bruce Crozier):** Thank you, Minister. New question.

#### LABOUR RELATIONS

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Labour. Your government stood up in this House earlier today and talked about advancing the most ambitious democratic renewal agenda

in Ontario's history. You talked about giving citizens a stronger voice.

Well, I would say to you, Minister, your Bill 144 is completely contrary to giving any citizen in this province a stronger voice. It does not advance the democratic renewal agenda because, in your bill, you have completely undermined the most fundamental democratic right of a worker to a secret ballot vote by granting the OLRB the power to automatically certify unions where they determine the employer to be in violation of the act.

I ask you, Minister, how does giving the OLRB, as you know, an un-elected group—how does this provide a strong voice for workers in this province, and how does it increase their democratic rights?

**Hon Christopher Bentley (Minister of Labour):** I do appreciate you talking about a power that existed in various forms in this province since 1950 and, in fact, existed while the honourable member was the Minister of Labour, until it was eliminated by the previous administration in 1998. It's a power that existed in the Ontario Labour Relations Board—the labour equivalent of a court—to deal with the worst labour relations abuses in the worst cases, where there was no other remedy. That's what we've introduced.

We've made it balanced by making sure that not only would the board have the power to certify, but they would have the power to stop a union certification drive if the union engaged in the worst abuses, where no other remedy is available. Interestingly, of 12,000 certification applications in the 20 years up to 1999, the power was used in 82 cases—less than 1%.

**Mrs Witmer:** I find it unbelievable that this minister is not prepared to allow workers to exercise their democratic right to a secret ballot vote. This is not democratic renewal. This country sends observers everywhere in the world in order to make sure that people have the opportunity to exercise a free, democratic and secret ballot vote, and yet you do this.

In fact, you've gone one step further. You have moved forward in a way that you have stripped construction workers totally of their right to a secret ballot vote. I ask you, do you not remember the intimidation of the past? Do you not remember the lack of fairness? Why are you stripping workers in this province of their right to a democratic, secret ballot vote?

1430

**Hon Mr Bentley:** First of all, with respect to the section 11 power the member spoke about a few moments ago, in fact, every other jurisdiction in Canada has that power. It was only under the Tories that we were deprived of it for the worst abuses and the worst cases. With respect to card-based certification, the member will remember that it was part of the labour relations landscape under Leslie Frost, under John Robarts, under Bill Davis. It's been part of the labour relations landscape for decades.

Construction is different from the other sectors. We want to ensure that the workers have an effective right to decide whether they wish to be part of a union or not. We

haven't ended the vote; the vote is still an option in construction, as it was before. So we now have two options in construction. The goal is not to favour one side or the other; the goal is to ensure that workers can effectively choose whether they wish to be part of a union or not, and that is the essence of democracy.

**Mr Garfield Dunlop (Simcoe North):** On a point of order, Mr Speaker: On behalf of our caucus, I'd like to congratulate Paul Martin on kicking Carolyn Parrish out of caucus.

**The Deputy Speaker (Mr Bruce Crozier):** That's not a point of order. New question.

### AUTISM SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question to the Minister of Children and Youth Services. There are a number of parents of autistic children who were at the public accounts committee meeting this morning, and they are in the gallery right now. They are very concerned with the number of lost hours of IBI treatment that the auditor identified in his report.

Brendan Barger waited one and a half years for treatment. He was promised one year of treatment at 25 hours a week. He actually ended up receiving eight and a half months of service at 15 hours a week. It's a small wonder he was still non-verbal when he was cut off IBI at the age of six.

Jordan Boufford, whose parents, Brad and Cindy, are in the gallery today, was cut off IBI treatment in May by your government, despite your Premier's promise not to discriminate against autistic children over the age of six. He lost 570 hours of treatment, all at the hands of the service provider.

Minister, it's grossly unfair that this could happen, especially when the agency gets paid for this treatment. Can you guarantee that all hours of treatment lost at the hands of service providers will be provided to all those children who were promised those hours?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for the question, and I thank her for her ongoing concern for these children. We've also thanked the auditor for his work.

We knew there were problems in the program, and that's why we fully supported the audit of this program. We appreciate the recommendations and are looking very hard at them. But we didn't wait for this report to begin to improve the system. We increased spending by \$40 million, \$10 million towards the IBI, or under six, program. We have reached more than 20% more children with the changes we've made. We have also created guidelines so that children don't languish on the waiting list—children that aged out before they even got an assessment to see if they would qualify for IBI.

We are streamlining the system; we can't clean this up overnight. I understand the parents' concern; we're working as fast as we can. We hired 40 new IBI therapists;

we're training them as fast as we can. The work is hard, and it's ongoing work. I can assure the honourable member opposite that we will meet these challenges.

**Ms Martel:** Minister, the question was, will you guarantee that all those hours of service that were promised and lost at the hands of service providers will, in fact, be given to these children? That's a question you have to respond to.

The auditor also noted that there are huge cost discrepancies between the direct service model and the direct treatment funding model for IBI. He noted that if the direct treatment model for IBI were used more often—he didn't note that; he said the direct funding model seems to be much more cost-effective, and many parents believe that if it were used more often, many more autistic children would actually get the IBI treatment they need.

The problem is that too many parents are never even given the option of direct funding. Too many more parents couldn't afford it, even if they were given the option, because they have to pay out of their own pockets to top up the salaries of therapists and other health care providers. It's not fair that parents who receive direct service get all their costs covered, and parents who get a direct funding model have to pay out of their own pocket.

Will you guarantee that you will revise the direct funding model as soon as possible so that no parent will have to pay out of their pocket for services your government should be paying for?

**Hon Mrs Bountrogianni:** Again, I thank the honourable member for her question. Indeed, we are taking that particular recommendation very seriously. I have directed my ministry to look at different funding models, including the one the auditor believes may be more cost-efficient and better for the parents. I can assure the member opposite we are looking at that very seriously.

### SCHOOL TRUSTEES

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is for the Minister of Education. Minister, the Premier has shown leadership in asking the Toronto District School Board to reconsider their decision on expense accounts. Earlier today, the Premier said he has asked you to look into the issue further and follow up with the school board. Can you tell me what is being done about this to ensure that all the proper rules are followed?

**Hon Gerard Kennedy (Minister of Education):** Thank you very much for the question. I would like the members of the House to know, quite contrary to some of the comments made earlier by the members of the opposition, that, in fact, under the Education Act the only expenses that can be claimed are those that are out-of-pocket expenses. After a discussion I had last night with the chair of the Toronto District School Board, they have willingly agreed to observe that practice. In future, they will only have expenses that will have out-of-pocket receipts collected.



I think it's very important for people to know that we did not rush to judgment on the part of the board, and we will continue to treat them and every trustee in this province with the respect that they deserve but, it seems, did not get from the now opposition party.

**The Deputy Speaker (Mr Bruce Crozier):** Supplementary?

**Mr Berardinetti:** No supplementary.

**The Deputy Speaker:** New question. The member for Haliburton—I'm going to get you in Haliburton yet today—Haldimand-Norfolk-Brant.

### COMPOSTING FACILITY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** To the Minister of the Environment: Minister, I want to bring to your attention today a serious situation with respect to a composting facility at Newmarket. It's not operating within its own guidelines. I don't need to remind you of the recent garbage fire in York region. You were unable to bring that situation under control.

Now we have a similar situation smouldering. Leaves are piled 20 or 30 feet high at this site. They go not only beyond the proper storage area but beyond the ring road of this site. That would hinder fire trucks from getting into the site, and as well, these leaves are piled dangerously close to live power lines.

People are growing nervous given the recent garbage-fuelled fire in York. What are you doing to bring this facility into compliance?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm very happy to report that upon the report of the fire at this location, Ministry of the Environment staff were deployed there. They work with the municipal fire-fighting folks to ensure that, in the execution of putting out the fire, the environment is protected, that any water that would result from that activity does not get into the waterways of that community.

We will continue to be on-site as long as we need to be to protect the environment and to ensure the people in that area are not in jeopardy either.

**Mr Barrett:** Look, Minister, there are serious concerns. I do remind you of at least two major dump fires that I am aware of under Liberal governments, the Hagersville tire fire in my area, and as I mentioned, the recent York region fire—both right under the nose of a Liberal government minister.

This mountain of leaves is in danger of spontaneous combustion. The risk grows as the pile grows. It grows closer to live power lines, as I mentioned. Emergency vehicles would be unable to get to this site. People's homes could be endangered, and these people want an answer. Minister, will your ministry put a stop to this unsafe situation now, or are you waiting for another fire?

1440

**Hon Mrs Dombrowsky:** Certainly there's no question that landfills have the potential for this. There are certificates of approval that guide the owners of these facilities in terms of how they should be operated so that

they present the least amount of risk. I'm sure that as we speak, the Ministry of the Environment is working to ensure that this operation is following its certificate of approval.

When you talk about the fire at the facility in Vaughan, I'm very pleased to report that we had issued orders and, in fact, that facility is in a court process. So the Ministry of the Environment has been active, has been diligent in ensuring that when facilities do not comply with their certificates of approval, they are held to account.

Once the fire broke out, we had SWAT folks at the gate making sure there was no other garbage going in. We've issued orders to ensure that no garbage is going in. We've also required the site to demonstrate that they will be complying with their certificate of approval by December.

### SPECIAL EDUCATION

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Education. Boards in Ontario are smarting from an underhanded Liberal move that clawed back their special education funds to the tune of \$100 million. Yesterday in estimates, you claimed that school boards weren't using the money you took from them. This is simply not true.

As an example, the Sudbury French Catholic board had \$384,000 on their books on August 31, 2003, and spent it during the 2003-04 school year on special education programs. But you declared those funds to be surplus and demanded the money back. Now these boards are cutting special education services. You promised to deliver change, and you are taking away funding from special-needs kids. How can you defend such an odious move?

**Hon Gerard Kennedy (Minister of Education):** The only thing that is odious in this room is this member opposite trying to allege a reduction in special education services. We in this government are funding \$163 million more for ISA services for children who were left to wait by the previous government. In fact, what we have said to boards is that they must spend money the previous government let them park in bank accounts. The \$76 million they put in the bank has to be out there in favour of students.

What the member brings up is part of a discussion we're just about to conclude with the school boards' association, so that boards that spent money in good conscience before the rules were applied will certainly not have it taken back from them, and there will be a fund, not one dime of which is coming back to the province, all of which will be available to be spent by the boards on the new needs they have. So more money will be spent this year than the \$163 million we've already distributed.

**Mr Marchese:** Every time I hear a promise of money, I hear more clawbacks.

I want to give more examples. The Durham District School Board lost \$1.5 million. That means 46 casual

educational assistants' assignments will not be renewed. The Rainbow District School Board lost \$2.2 million. That means no money for special education teachers or educational assistants and the number of early reading intervention teachers cut in half. The Waterloo Catholic District School Board lost \$880,500. They won't be able to rehire 20 teaching assistants for special education students who were laid off in the spring.

Minister, yesterday you told us this: School boards that had plans to spend special education funds on special education programs could do so. You said those funds won't be considered surplus. The boards that had their funds labelled surplus and clawed back will be happy to hear this. When are you going to call them and tell them their money will be returned?

**Hon Mr Kennedy:** Again, we have a member opposite with a very flimsy grasp of the facts. But unfortunately, it's not without consequence, because he is perpetrating some uncertainty for parents out there who need to know that in fact the dollars are out there and at work. There were submissions from boards for 2,500 additional education assistants and 1,200 additional teachers. In fact, one of the boards that he mentions, the Sudbury board—their plan submitted to us was to keep the \$2 million they had in surplus for the entire year, to spend none of it. Those dollars will now, instead, be available, and the Sudbury board and every board that wants to expand beyond the already large expansion we funded will be able to apply for them, and they will be out there where they should be, helping these kids get the education that they deserve—finally.

## RENEWABLE FUELS

**Ms Judy Marsales (Hamilton West):** My question today is for the Minister of Agriculture and Food. Biodiesel is a non-toxic, biodegradable, sulphur-free, clean-burning diesel replacement fuel made from natural, renewable sources such as any agricultural seed oil, recycled cooking grease and even rendered waste animal fats. In fact, this alternative fuel has proven to be so viable that Biox Corp announced its intention to construct a 60-million litre biodiesel facility in Hamilton, with additional buildings being planned in Ontario.

During the last election, we pledged to implement a renewable fuels policy for Ontario, and there has been much media speculation recently concerning such environmental initiatives. Does this government intend to move aggressively on the implementation of a renewable fuels policy comparable to ethanol that would ensure the use of biodiesel?

**Hon Steve Peters (Minister of Agriculture and Food):** Often we hear of Premier McGuinty and his commitment to health care and education, but there's a little-known fact about Premier McGuinty and it's his commitment to a renewable fuels strategy in the province. We're moving forward on an ethanol strategy. We're very proud of the fact that we are going to have a comprehensive renewable fuels strategy in place. Part of that strategy is

going to include biodiesel, because biodiesel is something that we recognize has many benefits for the farmers of this province. We have a serious challenge as a result of BSE and dealing with dead stock. Biodiesel can help us deal with that. We need to find add value for the commodities that our farmers produce in this province. Biodiesel has a great benefit for the soybean growers in this province as well.

We're proud of the work that Biox has done in the Hamilton area. I'm proud that this member is advocating for Biox, because we see a company like Biox and the initiative that's taking place in Sudbury from that partnership as something that's going to benefit agriculture—

**The Deputy Speaker (Mr Bruce Crozier):** Thank you. Supplementary?

**Ms Marsales:** Further to that question, some have criticized our renewable fuels strategy because there are not sufficient technologies out there now to provide everything we need. How would you address those concerns, please?

**Mr Garfield Dunlop (Simcoe North):** You're diverting attention from BSE.

**Hon Mr Peters:** I think we should be worried about BSE, because there's the potential of another case that's just been announced in Washington. You should be standing up and worrying about BSE.

The renewable fuels strategy is important for this province. Renewable fuels are important because these are clean fuels. These are fuels that we can derive from renewable sources. This is a renewable fuel strategy that not only helps the farmers of this province, it helps the health of this province, it helps the environment of this province and more importantly, it helps rural economies. It's very important that we move forward.

There are some great initiatives such as Biox, such as Sudbury, such as the Brant county partnership for the new ethanol project, and Cornwall and the new ethanol project. As well, there are a number of other initiatives such as Iogen in Ottawa, who are prepared to use corn stover and wheat stover and turn that into energy as well. This renewable fuels strategy that we're going to be bringing forward is going to be comprehensive and it's going to make Ontario a leader when it comes to renewable fuels.

## DEMOCRATIC RENEWAL

**Mr Norman W. Sterling (Lanark-Carleton):** My question is for the Premier. Democratic renewal has a lot to do with this institution, it has to do with how we divide up powers under our constitution and it has to do with our electoral process. I want to talk a little bit about this place, how it's run and the promises you made in the last election to make this place run better.

In the election, you talked about allowing government MPPs to vote their conscience in this place so they could represent their constituents. We've had over 40 government bills voted on in this Legislature and not one of your backbenchers voted to oppose government legis-



lation. That's some 1,600 votes counted amongst all of your people. No one believes that in all of the cases, all of the members could have been in favour. Will you free your members, as promised in the election, to vote their conscience?

1450

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me just say that I am very proud to lead a government that's bringing about the most far-reaching democratic reforms ever seen in this province. Let me take the opportunity as well to say, unequivocally, that we have today the best minister for democratic renewal this province has ever had.

We have put forward a number of initiatives and I'm hopeful they will be supported by members opposite. Bill 86, the Election Statute Law Amendment Act, will ensure that we set fixed election dates. Ontarians are wondering, why won't the opposition support it? Bill 17, the Executive Council Amendment Act, requires that cabinet ministers attend question period at least two thirds of the time. Again, Ontarians are wondering, why won't the opposition members support that bill?

**Mr Sterling:** Premier, you do have support from the opposition on many of these matters. We only want you to live up to the spirit of those bills before they're passed, because you're not doing that at the present time.

Today the Premier and his minister announced, outside this Legislature, their role for democratic renewal. There seems to be no role for the existing elected representatives to participate in this process. This is not the right of the Ontario Liberal Party, to make a decision as to where we're going in the next 100 years with regard to our democratic institutions. All parties must have a say as to how this process goes forward.

I ask you, Premier, in the spirit of non-partisanship in this democratic renewal debate, will you set up an equal, representative, all-party committee of this Legislature to make recommendations on the process we go forward with?

**Hon Mr McGuinty:** We're doing something much better than that. We're going to the citizens of Ontario. We believe the issue of electoral reform is so fundamental, so basic, that we're asking the people of Ontario for their judgment in this matter. But in the interim, again, there are a number of bills before this Legislature that I believe are supported by the people of Ontario, and they continue to ask, why is it that members of the opposition will not support these bills?

For example, Bill 84, the Fiscal Transparency and Accountability Act, will prevent any government from ever again hiding a deficit from the people of Ontario. Why won't the members of the opposition support that bill? Bill 18, the Audit Statute Law Amendment Act, will allow for value-for-money audits of institutions. Why won't they support that one? We also have Bill 25, a bill that will end partisan government advertising. Why won't the members opposite support those bills? We have many of those kinds of initiatives. We would like to

get them through, but for some reason, members of the opposition won't support it.

## SEXUAL REASSIGNMENT SURGERY

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of Health. Today is international Transgender Day of Remembrance, the day that calls for an end to the hatred and discrimination transgendered people confront every day. You are now also guilty of discriminating against this minority, because you decided not to relist sex reassignment surgery. This decision perpetuates the misconception that this kind of surgery is not a medical procedure. Most other provinces, including British Columbia and even Alberta, fund it. You were about to relist and then you chose not to.

Some members from the community are here in the public gallery. Will you tell them and this House why you changed your mind and why you're denying them access to the health care they need?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The Attorney General.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** The matter the member is speaking of is currently before the human rights tribunal. There is also a publication ban that has been implemented with respect to the human rights tribunal. We will obviously respect and accept the decision of the tribunal. Other than that, it is before the tribunal right now.

**Ms Churley:** I say shame on you, Minister of Health, for not answering this question and taking a position on this. It shouldn't have to be before the human rights commission. You can stop that right now by relisting, as you promised to do. What your decision says about your commitment to help stop the discrimination faced by a marginalized group is disgraceful. You are violating—he has already said that you are violating the Ontario Human Rights Code by choosing to deny this.

Keith Norton has called on you to relist it, because the Human Rights Code forbids discrimination in health care based on gender identity. He has also echoed that you are sending the wrong message of intolerance by choosing not to.

Minister, SRS funding had been available in Ontario from 1970 until 1998, when the Harris Tories got rid of it, delisted it, and you promised to reinstate it. Will you stand up today and say that you will keep your promise? You ran on "Choose change." This is your opportunity to live up to that commitment.

**Hon Mr Bryant:** I say to the member, she knows that this is a matter before the tribunal. I respect the question, and I understand that. It in fact is being heard by the tribunal right now. There are going to be hearings again next week, as I understand it, and it just would not be appropriate for me to speak to it in this Legislature. We will respect and accept the decision of the tribunal.

## ACCESSIBILITY FOR THE DISABLED

**Ms Kathleen O. Wynne (Don Valley West):** My question is directed to the Minister of Citizenship and Immigration. Minister, last month, you introduced legislation that would make Ontario accessible for all citizens. I certainly believe that this legislation is necessary, and I think everyone in the House would agree. You and I heard this morning at the Canadian National Institute for the Blind how important it is for people for whom going to work or going to the grocery store is difficult, and so that is why this legislation is critical.

Upon reading the act, I note that a central piece of your proposed legislation would see accessibility standards developed, standards that would set out requirements that would need to be adopted or implemented by persons or organizations, and these standards are critical to the legislation.

My question is, how will the accessibility standards be developed under the proposed new Accessibility for Ontarians with Disabilities Act?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for her question. It was a pleasure to be with her in her riding at the CNIB this morning, announcing some very important measures that will approach the accessibility act very soon.

This afternoon, we will be beginning debate on second reading of this very important bill, and I want—on behalf of all of the Legislature, I'm sure—to welcome our special guests from the disability community for this historic event this afternoon.

One of the things I heard over the consultations over the last month with Dr Kular, my former parliamentary assistant, was that there were no standards. Many public and private companies would ask, "How do you expect us to abide by and to make life more accessible for people with disabilities if we don't have the standards?" In other words, "Tell us what we need to do." So the development of standards is crucial to the success of this new act, if it passes. If this act passes, we will begin developing sectoral tables immediately, and we will have people from the disability communities and the appropriate ministries as well as from the appropriate stakeholder groups developing standards immediately.

**Ms Wynne:** I think it's important that these standards be established to ensure that people with disabilities, no matter where they live or work, can expect the same level of quality and service.

I'm regularly contacted by constituents concerned about their ability or the ability of members of their family to access the kind of services that many of us take for granted. You know that in my riding in Don Valley West, the CNIB is not the only institution, but we have the Bob Rumble Centre for the Deaf, the Common Ground Co-op and the March of Dimes. It's really a centre for institutions and services across the country. My constituents and the advocates for people with disabilities

in the riding and outside will be encouraged to hear that we're working to establish these standards.

How does the government intend to enforce these standards? Should persons and organizations not comply, what are the consequences and ramifications?

**Hon Mrs Bountrogianni:** Thank you for this important question. One of the other things we heard in our consultations was that there were no compliance and enforcement measures. For those few who would not comply, those were necessary. So we included that in our legislation. Organizations to which an accessibility standard applies must comply within the time period set out in the standard by filing an accessibility report and making that report available to the public. The report may be viewed to ensure compliance, and inspections and audits may also be carried out. Organizations and individuals may be liable, on conviction, for a fine up to \$50,000 for a person and \$100,000 for a company if they do not comply with the standards or if they provide false or misleading information in the accessibility report. This new act, if it passes, will have teeth. That is what the disability community asked for, and that is what we are delivering.

1500

## EDUCATION FUNDING

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Education. A review of the Hansard record will show that you don't answer questions and that, when you do, most of the time you're arrogant and evasive. Let's see if you can answer this question in a way that honours your position and respects parents across the province, who are very concerned that you are stripping them of the control over the funds that they raise in their own communities for purposes within their own schools.

You insist that nothing has changed and, somehow, that control will still be there, yet there is confusion in every school board and every school council in this province. Parents are saying that they have stopped raising money in their own communities until they can be assured in a very clear directive from you that they have direct control over how those funds are spent. Minister, what will you do to send out that directive? When can we expect that to come from your office?

**Hon Gerard Kennedy (Minister of Education):** Well, I will respond, but not with the same graciousness and class that was exhibited by the member opposite. The fact is that all across the province there are engagements taking place now with parents with schools that are properly funded for the first time in many years. This question is coming from the member of a government who voted, time and time again, to take the resources away that made fundraising a necessity to convey education. I dare say, this member didn't have to fundraise for his education because his parents and grandparents sacrificed in a way that his government wasn't prepared, when they were in power, to actually ensure that public education could be done. I'm proud to



say that our government has put, with the support of the Premier and the Minister of Finance, \$1.1 billion back, and made it less necessary to have fundraising chocolate bar sales door-to-door as a way of entitling civic education in this province.

**Mr Klees:** Again, the Hansard record will show that this minister did not answer the question. He was sarcastic, he was evasive, and it is not at all honouring of the position of the Minister of Education. The fact is, Minister, the Niagara Catholic District School Board has ordered all bank accounts for parent purposes closed. The Ottawa-Carleton Assembly of Catholic School Councils has asked school councils to respectfully decline to comply with the policy, and the Hamilton-Wentworth District School Board has ordered all parent bank accounts closed, the balances rolled into the school's general accounts, and school principals to be given signing authority.

Minister, you didn't answer the question when I first asked it. I'm going to give you one more opportunity to confirm for us that, in fact, school councils will retain control over the spending of those funds; that they cannot be vetoed by principals, and if you'll wipe that smirk off your face and answer it, I would appreciate it.

**Hon Gerard Kennedy:** If I could respond to the critic for parliamentary comportment across and simply say, the reason I'm not answering his direct question about when we're sending a letter to school councils is because we sent a letter to school boards and school councils in April of last year. In that letter—and we made this information available to the member opposite—we made it extremely clear that there was no change in the management. We will follow up with several initiatives, as many as necessary, to make absolutely sure there is no impact on fundraising.

This is an initiative that comes from the Institute of Chartered Accountants. It's about finally putting the books of this province in order, which I can appreciate the member opposite would only have a passing notion of. We're going to get the finances of this government and of school boards in order. This is a small part of that, which will not impact negatively on the efforts of parents.

## PETITIONS

### LANDFILL

**Mr Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

"Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

"Whereas, as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations

for improvements to the design, most of which are related to potential groundwater contamination; and

"Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

"Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O'Connor's report on the Walkerton inquiry; and

"Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

"Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

"Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

"We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will definitely affect the design of site 41 and the nearby water sources."

I'm pleased to sign my name to that.

## SEXUAL REASSIGNMENT SURGERY

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition here brought forward by the university affairs coordinator of LGBTOUT, and I'm happy to read this on their behalf. It says:

"Reinstate funding for sexual reassignment surgery for trans-gendered individuals.

"To the Legislative Assembly of Ontario:

"Whereas the previous Conservative provincial government removed OHIP funding for sexual reassignment surgery on October 1, 1998, without consultation with medical professionals or the trans-gendered community;

"Whereas Ontario is one of the only provinces in Canada that does not fund SRS;

"Whereas trans-gendered people in Ontario have the right to equality in health care;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Reinstate OHIP funding for sexual reassignment surgery (SRS) for trans-gendered individuals."

I support this petition, and will affix my signature.

## ANAPHYLACTIC SHOCK

**Mr Kim Craiton (Niagara Falls):** My petition is to the Legislative Assembly of Ontario.

"Whereas there is no established province-wide standard to deal with anaphylactic shock in Ontario schools; and

"Whereas there is no specific comment regarding anaphylactic shock in the Education Act; and

"Whereas anaphylactic shock is a serious concern that can result in life-or-death situations; and

"Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

"Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

"Therefore be it resolved that we, the undersigned, demand that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan."

I'm pleased to affix my signature to this petition.

### SPORT PARACHUTING

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

I'm pleased to present a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the lives of student and novice sport parachutists have been and continue to be lost to a systemic lack of regulation or accountability on the part of any currently governing bodies;

"Whereas inconsistent monitoring, a serious disregard for, or inability to responsibly and competently police adherence to rules, regulations and manufacturer specifications on the part of the skydiving schools and the Canadian Sport Parachuting Association creates unnecessary risk to human life;

"Whereas evidence presented at the coroner's inquest of Gareth Rodgers suggests that the current regulatory body has no desire for accountability or means of enforcing rules and regulations in the sport of parachuting;

"Whereas a system of teaching standards and regulations to safeguard novice and student sport parachutists is grossly deficient;

"Whereas Joe Tascona, MPP Barrie-Simcoe-Bradford, has introduced a private member's bill, the Gareth Rodgers Act for Sport Parachuting, to regulate sport parachuting activities for the safety of student and novice skydivers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Dalton McGuinty Liberal government immediately pass and implement Joe Tascona's bill;

"(2) That the Dalton McGuinty Liberal government petition the federal Liberal government to act in a swift—"

*Interjections.*

1510

**Mr Tascona:** Mr Speaker.

**The Deputy Speaker (Mr Bruce Crozier):** We're running out of time, so come on.

**Mr Tascona:** —and responsible manner in order to ensure that the lives and safety of sport parachutists, especially student and novice jumpers, are protected by law and that the skydiving industry operates in a responsible, competent and transparent manner;

"(3) That the federal Liberal government consider immediate and responsible interim measures to suspend

these activities until a viable solution to this matter may be attained;

"(4) That the federal Liberal government seriously consider the 12 sound recommendations submitted by the jury in the coroner's inquest of the skydiving fatality of Gareth Rodgers;

"(5) That the federal Liberal government make the industry both responsible and accountable for its actions and omissions, within strict standards of safety that must be governed by a competent body whose paramount mandate must be to maintain current equipment, thorough and competent record-keeping, and to ensure that manufacturer specifications are strictly adhered to and that appropriate safety standards are being observed at all times for student/novice skydivers and the equipment that they use."

I support the petition.

### CHIROPRACTIC SERVICES

**Mr Peter Kormos (Niagara Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public"—none whatsoever—"on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

Page Eric is going to deliver this to the Clerks' table.

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a



cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I send this to you via page Daniel.

#### HEALTH CARE FUNDING

**Mr John O'Toole (Durham):** "To the Legislative Assembly of Ontario:

"Whereas the federal Income Tax Act at present has a minimum amount of medical expenses for which a taxpayer is entitled to claim a non-refundable income tax credit;

"Whereas the health and medical expenses of every citizen in the province of Ontario, great or small, affect their overall net income;

"Whereas the Ontario Liberal government moved in their 2004 budget on May 18, 2004, to delist publicly funded medical services such as chiropractic services, optometry examinations and physiotherapy services;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Income Tax Act remove the present minimum amount of medical expenses for which an Ontario taxpayer is entitled to claim a non-refundable income tax credit" on health care expenses.

I'm pleased to support this in respect to the recent changes in the health funding.

#### CHIROPRACTIC SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened ... physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of

the public, patients, the health care system, government and the province."

I agree with the petitioners and I have affixed my signature to these.

#### ANAPHYLACTIC SHOCK

**Mr Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario that I'm pleased to read on behalf of my colleague from Brant.

"Whereas there is no established province-wide standard to deal with anaphylactic shock in Ontario schools; and

"Whereas there is no specific comment regarding anaphylactic shock in the Education Act; and

"Whereas anaphylactic shock is a serious concern that can result in life-or-death situations; and

"Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

"Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

"Therefore be it resolved that we, the undersigned, demand that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan."

As I agree with this petition, I'll affix my signature to it and ask Ellen to carry it.

#### PIT BULLS

**Mrs Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas,

"Aggressive dogs are found among any breed or crossbreed; and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds."

I affix my signature to this as I am in agreement.

#### HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition that comes from my riding. It reads as follows:

"Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

"Whereas this privatization of health care services will force Ontarians to pay out of their own pocket for essential health care;

"Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government's ... regressive health tax;

"Whereas the Liberals promised during the election that they would not cut or privatize health care ... in Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care."

I agree with the petitioners. I've affixed my signature to this.

### CARDIAC CARE

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Niagara region has a population of over 430,000 people and has the highest 30-day death rate in Ontario for heart failure, has the second-highest one-year death rate in Ontario for heart failure, has the second-highest heart failure readmission rates in Ontario, has the third-highest post-heart-attack one-year death rate, and is 25% higher than the Ontario average for ischemic heart disease deaths; and

"Whereas in fiscal year 2002-03, Niagara region residents had 1,230 admissions to hospital for heart failure, 1,150 patients admitted to hospital for acute heart attack, 862 admissions to hospital for ischemic heart disease, 93 admissions to hospital for cardiomyopathy, a repatriation population of 458 post-angioplasty patients, 341 admissions to out-of-region hospitals for coronary artery disease, 328 post-coronary artery bypass patients, 92 heart valve replacement patients and three heart transplant patients; and

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"Whereas all of the above-mentioned 4,503 heart patients are eligible for cardiac rehab in Niagara, which translates to 1,500 new patients who would access Niagara cardiac rehab services every year; and

"Whereas the Ministry of Health and Long-Term Care funds cardiac rehabilitation in 24 communities but does not fund cardiac rehabilitation services anywhere in Niagara. Heart Niagara, a registered non-profit corporation, provides services in one of the largest cardiac rehab programs in Ontario at no charge to the patient but relies on funding through donations and special events;

"Therefore we, the undersigned concerned citizens of Niagara, petition the Legislative Assembly of Ontario as follows:

"That cardiac rehabilitation services in Niagara be funded by the Ministry of Health and Long-Term Care, as they are in 24 other Ontario communities, and made comprehensive and accessible."

### ORDERS OF THE DAY

#### AUDIT STATUTE LAW AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LA VÉRIFICATION DES COMPTES PUBLICS

Mr Sorbara moved third reading of the following bill:  
Bill 18, An Act respecting the Provincial Auditor /  
Projet de loi 18, Loi concernant le vérificateur provincial.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Sorbara has moved third reading of Bill 18, An Act respecting the Provincial Auditor. Mr Sorbara?

Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I have received, pursuant to standing order 28(h), a request that the vote on the motion by Mr Sorbara for third reading of Bill 18, An Act respecting the Provincial Auditor, be deferred until deferred votes November 22, 2004. It's been signed by the chief government whip.

#### ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2004

#### LOI DE 2004 SUR L'ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Mrs Bountrogianni moved second reading of the following bill:

Bill 118, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the Act for persons with disabilities / Projet de loi 118, Loi traitant de l'élaboration, de la mise en oeuvre et de l'application de normes concernant l'accessibilité pour les personnes handicapées en ce qui concerne les biens, les services, les installations, l'emploi, le logement, les bâtiments et toutes les autres choses qu'elle précède.

**The Deputy Speaker (Mr Bruce Crozier):** Mrs Bountrogianni has moved second reading of Bill 118. Minister?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** Mr Speaker, I will be sharing my time with my parliamentary assistant, the member from London-Fanshawe, Mr Khalil Ramal.

This bill, the Accessibility for Ontarians with Disabilities Act, is about fairness. It's about opportunity, inclusion and empowerment. It's about the ability to pursue



dreams, the chance to be a full partner in society and make a full contribution to society. This bill is about building a better Ontario, tapping the full potential of Ontario, making Ontario the place to live.

In this Legislature, day after day, we engage in vigorous, tough, partisan debate. There are strong clashes of heartfelt but opposing philosophies. When it comes to the issue of disability, however, there's a great deal about which we agree. This is a profoundly important matter that touches each person here, regardless of political affiliation. It is an issue that touches every person, every family, every circle of friends, every neighbourhood in Ontario. Most of us may have a relative who has trouble getting around physically, or we may have someone we love who has a serious learning disability or who deals with mental health challenges. We may know someone whose eyesight or hearing is failing, or someone who copes daily with the impairments of a chronic ailment.

One thing is certain: We all agree that discrimination against people with disabilities is wrong; accessibility for people with disabilities is right. And like it or not, we can agree that we are all getting older. As our society ages, so does the number of Ontarians with disabilities. Every member knows that by providing full accessibility for people with disabilities, Ontario will benefit enormously: more participation in the workforce by Ontarians with disabilities, more consumer spending, greater educational achievement by thousands of young people, and a shining reputation across Canada and around the world.

Providing accessibility is fundamental to reaching the full economic, social, cultural and human potential of our province. It is fundamental to embracing and celebrating our common humanity. It was exactly a decade ago this month when a handful of pragmatic, thoughtful Ontarians with disabilities came together with the explicit goal of making this legislation a reality. Some of these people are in the gallery today, and, on behalf of the Legislature, I welcome you.

They were frustrated that the provincial government of the day thought that the Ontario Human Rights Code and the Charter of Rights and Freedoms were sufficient to make Ontario more accessible. As someone who, at the time, worked with children with disabilities, I understood that those laws forced people to fight barriers one at a time and required costly, lengthy legal battles.

The legislation before us today is a priority for the Premier. He campaigned on this. He made a commitment to bring this bill forward. The Premier instructed me to make it my priority—something I was more than happy and honoured to do. One of my reasons for getting into politics was to do something about this issue. But if this is a watershed piece of legislation for our province, the credit does not go to the Premier or to me; the credit goes to those Ontarians with disabilities who have been pushing so hard for so long. For 10 years they would not give up. They will not give up.

In the past year, my former parliamentary assistant, Dr Kuldip Kular, and I travelled Ontario listening to people with disabilities and their families. Thousands of citizens

offered intelligent, practical ideas. And everywhere in the province there were certain themes repeated over and over. Those themes are reflected in this legislation: the role of both the public and private sectors, accountability, planning, standards, public awareness, best practices, accessible transportation, building codes, municipal services, partnerships, the broad range of disabilities—visible and invisible, the broad range of barriers to accessibility, compliance and enforcement, and leadership.

There were two points that struck me clearly at meeting after meeting. The first was the desire for legislation that encompasses action in the short run, action over the medium term, and long-term action. This legislation would reflect that clearly expressed desire. The second point was the determination of those with disabilities to be as fair as possible to business. What those with disabilities asked for was the opportunity to sit down with various business sectors and the public sector to negotiate standards that are both world-leading and fair to everybody. This legislation would reflect that express desire too.

As we met with communities around Ontario, I tried to make a point of having local business people at the table. I wanted everyone to hear what everyone else had to say. In fact, we were the first government to have people with disabilities and the business community sit down together and discuss a vision of accessibility. The result was positive. Business people from every industry take this issue very seriously. What I heard over and over was why it was good for business to be far more accessible. What I also heard from business leaders were their own personal experiences, stories about parents with disabilities, or children, or grandchildren, or brothers or sisters, or employees, or stories about themselves. There comes a time when we simply have to move forward: a time to move forward on rights for people with disabilities, just as we move forward on rights for women, on rights for a range of citizens.

My 13-year-old daughter just cannot imagine that there was a time not so long ago when she wouldn't have had the same rights and opportunities as her 16-year-old brother. She couldn't imagine a world in which boys grow up and have the ability to hold particular jobs but girls don't, a world in which boys get every opportunity for a thorough education but girls don't. We all want our children and grandchildren to grow up in a province where they can't imagine that accessibility for people with disabilities was ever at question. We want them to grow up thinking, "Why did people back in 2004 even have to debate this issue?"

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In building on the work of people with disabilities and the goodwill of many in the private sector, this legislation also implements principles introduced in the Legislature by the honourable member for Windsor, now the Minister of Energy and government House leader. On October 29, 1998, the Legislature voted unanimously to adopt the 11 principles of what is now called the Duncan resolution. It was quite a moment, because it was the rare



occasion when a private member, let alone one from the opposition, had a motion accepted. Three years later, in 2001, the Harris government passed the Ontarians with Disabilities Act. That act put into place some, but not all, of the principles previously agreed to by the Legislature.

Our party felt strongly that the 2001 legislation did not go far enough. But I saw then, as I do now, that there are many Progressive Conservative members who care deeply about advancing accessibility for people with disabilities. Indeed, I want to point out that when I brought this new bill forward some weeks ago, the approach of the Tory members for Burlington and Nepean-Carleton was extremely constructive, and that is really saying something. It is only once in a blue moon when either one of those members actually has something positive to say about a Liberal initiative.

Two NDP members have also spoken about this bill since it was introduced: the member for Niagara Centre and the member for Beaches-East York. I respect the commitment of those members to the issue of accessibility. I have listened carefully to the concerns of the two members. They have raised questions about the timing of regulations and long-term objectives. In turn, I hope the NDP members will agree that it would be wrong to set all the rules in stone before people with disabilities have an opportunity to negotiate the standards they want for themselves. Ontarians with disabilities have asked for that right to negotiate, and I am committed to giving it to them.

As I have indicated, I want to be as non-partisan as possible. If a member from any of our three parties has a workable suggestion for improving the bill, I am more than prepared to listen.

I reiterate that I recognize how passionately and personally everyone in the province feels about the issues covered in this bill. The truth is that the member for Burlington struck a chord with many of us when he said, on October 12, "I say in all fairness, like many members of this Legislature who have ever grown up in a house with a disabled member, they know how important this legislation is."

The member is right. This legislation is important. It would provide for solid action on all 11 principles of the Duncan resolution.

First, the legislation would call for the creation of a barrier-free Ontario, with removal of current barriers and the prevention of future barriers. This bill would call for action on goods, services, facilities, accommodation and employment, and would call for people with disabilities to be partners in setting the rules.

Second, the legislation would call for a broad approach; a broad approach across every part of the provincial government; a broad approach that, for the first time, fully covers the private sector.

Third, the legislation would call for the establishment of time lines.

Fourth, the bill would set in motion the establishment of mandatory standards, from transportation to the built environment to communications.

The fifth principle of the Duncan resolution encompasses active measures to achieve barrier-free workplaces. In that regard, there would be new obligations.

Number six—and this is key—is enforcement, including the power to audit, inspect and impose sanctions.

Seventh: regulations. There would be an inclusive process for developing standards, including public comment on draft standards. The government could then give those standards the force of law through regulation.

The next principle: public education. This area is my passion. I will use every tool available to help shape a change in attitude, a change in values. Over and over again, people with disabilities have told me that the biggest barrier of all is one of attitude. On this score, I look forward to working closely with every MPP to help foster a true culture of inclusion for people with disabilities.

Issue number nine: adaptive technologies. This is a field in which the previous government took a serious lead. The challenge remains, in a high-tech world, to make certain that technology serves rather than frustrates the needs of people with disabilities.

The 10th principle is contract compliance. What's required are clear rules for the procurement and funding practices of the public sector. As large purchasers, governments have the power to bring about change that would make goods, services and facilities more accessible for people with disabilities.

The 11th principle adopted unanimously by MPPs is that legislation must be more than window dressing. Nice phrases are no substitute for action: short-term, medium-term and long-term action. That is precisely why this legislation would address the full range of disabilities and barriers. It is why, if it is passed, there would be mandatory standards, timelines, compliance and enforcement, and it is why more than 300,000 public and private organizations would be covered by the legislation.

As was said six years ago, "...what it's all about is access: access to employment, a meaningful way of life; access to public services ... access to buying a product to carry on their life; access to transportation. These things are basic."

This legislation would make Ontario the leader in Canada. We would become the first Canadian jurisdiction to have a comprehensive approach, covering all spheres of government and business, all disabilities and all major aspects of daily life in the province.

As the Premier said, "Together, we can get the results Ontarians want and deserve. Together, we can build a quality of life that's second to none."

I ask for the support of the Legislature in thoughtful but swift action on this bill. This is a vitally important bill. It will advance our shared values of fairness, opportunity, inclusion and human rights. This is about empowering Ontarians with disabilities to pursue their dreams.

Let us tap the full potential of every Ontarian. Let us tap the full potential of this great province.



I now leave it to Khalil Ramal, my parliamentary assistant.

**Mr Khalil Ramal (London-Fanshawe):** I am honoured to have been named parliamentary assistant to the Minister of Citizenship and Immigration just a few weeks ago. I'm delighted to speak to the proposed Accessibility for Ontarians with Disabilities Act, 2004, as one of my first tasks in this job.

October 12 was a great day for Ontario. The minister, Dr Marie Bountrogianni, introduced the Accessibility for Ontarians with Disabilities Act, 2004, as the first order of business in this fall sitting of the Legislature. If this bill is passed, there will be even greater days ahead. I share Dr Bountrogianni's passion and determination to build an accessible society.

With this legislation, the government proposes to take action to remove the barriers facing Ontarians with disabilities, whether those disabilities are visible or invisible.

I gained some understanding of these barriers while working for several years at Community Living London. I am proud of the work Community Living has done, and continues to do, to help everyone participate in all aspects of daily life. Community Living supports men, women and children with intellectual disabilities in their efforts to live as independently as possible. This group helps individuals and their families make their own choices in work, leisure, recreation and lifelong learning, and it assists people with intellectual disabilities to be heard, to participate in their communities, support each other and be involved in decision-making.

This is the true spirit behind our proposed legislation. Accessibility is the right thing to do.

The roots of this legislation now before us can be traced back to 10 years ago. That's when one small band of 20 Ontarians with disabilities formed a committee for the purpose of making Ontario barrier-free.

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During the 1995 election campaign, the Ontarians with Disabilities Act Committee—the ODA committee—asked all three parties to pass this kind of legislation. When the Tory government came to power, they said they would do it in their first term. They did nothing. When their first term was drawing to a close, this House prodded the Tory government to take action. I'm referring, of course, to the resolution introduced six years ago on October 29, 1998, by my colleague Minister Dwight Duncan. This resolution called on the government to enact disability legislation based on 11 principles that had been articulated by the ODA Committee. This House unanimously adopted the resolution.

A few weeks later, in November 1998, the government tabled the Ontarians with Disabilities Act, 1998. This bill was not well received, to say the least. When the Legislature adjourned in December, it died on the order paper.

In the throne speech in the spring of 1999, the government announced it would gather additional input before reintroducing the bill. It was back to the drawing board.

After the election, the opposition again put pressure on the government. In November 1999, the current Minister of Agriculture and Food, Steve Peters, brought forward a motion calling for the government to keep its commitment to pass legislation consistent with the 1998 principles.

Finally, in November 2001, after more than six years in office, the former government introduced the Ontarians with Disabilities Act, 2001. The disability community was not impressed.

David Lepofsky, chair of the ODA committee, gave a TV interview the other day and explained what was wrong with the ODA, 2001. "[I]t was toothless," he said. "It didn't apply to the private sector where we shop or most of us want to work and so on. And it didn't have any enforcement. None at all. It basically said please remove barriers if you want."

In spite of objections like these, the Ontarians with Disabilities Act passed in December 2001, but the disabled community continued to press for change.

On April 7, 2003, with another election in the air, Dalton McGuinty, as Leader of the Opposition, wrote a letter to the ODA committee. Mr McGuinty said that if we formed the government, we would enact a strong and effective Ontarians with Disabilities Act.

Just how well have we kept this commitment? Here is what David Lepofsky has to say: "Mr McGuinty has made a series of promises and with this bill he's kept them all. He promised he would work with the disability community, the business community and the municipalities to develop the law. He did that.... He said he'd introduce a bill within the first year. He did that.... He said the bill would fix the major problems with the Conservatives' weak bill, and it does."

I believe our government has done an exemplary job in developing this legislation. We listened. We were thorough. We did our homework. We began by reiterating our commitment to a strong and effective bill in the first throne speech last November 20. We said we would work with Ontarians with disabilities on meaningful legislation that would allow them to participate fully in building a stronger province. And that's exactly what we did. Just a couple of weeks later, on December 3, the minister, Dr Marie Bountrogianni, marked the International Day of Disabled Persons by announcing our plans to hold consultations on strengthening the Ontarians with Disabilities Act, 2001.

From January through March this year, Dr Bountrogianni and my predecessor as parliamentary assistant, Dr Kuldip Kular, undertook a series of seven regional public meetings, 14 round table meetings and a live Webcast for students with disabilities. More than 1,000 individuals participated in the public meetings, 246 stakeholder representatives took part in the round table, and the Webcast registered about 2,000 viewer hits.

Ces consultations ont été pleinement accessibles aux personnes handicapées. Par exemple, la diffusion sur le Web destinée aux étudiantes et étudiants a permis aux participants de choisir une interprétation en temps réel,



en ASL et LSQ, une piste sonore en français ou en anglais, et un sous-titrage codé en temps réel pour malentendants, en français et en anglais. En fait, la diffusion sur le Web a reçu une médaille d'argent à la récente Foire de la qualité dans le secteur public pour l'accessibilité qu'elle offrait à tous les participants.

J'aimerais ajouter que des services d'interprétation simultanée en français et en anglais ont également été offerts lors des consultations organisées dans des régions désignées.

Les commentaires nous ont permis d'élaborer notre projet de loi. En fait, ce projet de loi n'aurait pas vu le jour sans la contribution généreuse en temps et en efforts des très nombreuses personnes qui ont partagé leurs points de vue avec nous. Nous avons aussi fait des recherches exhaustives sur la façon dont les compétences qui sont des chefs de file de par le monde ont abordé le sujet de l'accessibilité.

Finally, on October 12, 2004, we introduced the proposed Accessibility for Ontarians with Disabilities Act, 2004, truly groundbreaking legislation that would make Ontario a world leader in this field.

The proposed act would improve on the ODA in key ways:

It would focus on action, not just planning. Mandatory standards and real results would be achieved every five years or less, moving toward an accessible Ontario in 20 years.

It would encompass not only the provincial government and the broader public sector, as the ODA does, but also fully cover the private sector.

Our legislation would have teeth, with tough penalties for violators.

If passed, this legislation would make a real difference in the lives of people with disabilities.

For example, it would mean that a person with a learning disability who takes a prescription to a pharmacy would receive a clear, understandable explanation for how to use the medication; a parent who uses a wheelchair and attends a school play could sit in the main seating area to watch his or her children perform; a teenager who uses an ambulatory device could take a regular bus with a friend to go to a movie at the local mall; or an elderly patient who has diminished vision and uses a scooter could make his way into a medical building through a ramp and an automatic door that are clearly marked with large-print signs and then take an elevator with voice commands and a lowered button panel as he goes to have an X-ray.

Let me add that, apart from introducing this groundbreaking legislation, the government is already moving forward with complementary measures for people with disabilities, including the expansion of funding for mental health services; major reinvestments in children's health programs; new housing for Ontarians with developmental disabilities; the first increase in Ontario disability support payments in 11 years; increased funding for the home and vehicle modification program to quadruple the number of people who benefit and, for the first

time, including children with disabilities; a policy that any bus purchases for public transportation with provincial funding, including funding from the provincial gas tax, must be accessible to people with disabilities; and the new Active2010 strategy that will help remove barriers that prevent people from participating in sport and recreation programs, particularly low-income children, elderly adults and people with disabilities.

I am proud of our role, now in the government and earlier in opposition, in bringing this historic proposed legislation from concept to introduction. But no one deserves more credit for this bill than the disability organizations across Ontario that have demanded action. Championed by the Ontarians with Disabilities Act Committee, and with the support of many other groups, the campaign for strong and effective legislation has steadily gained momentum over the past decade. The steadfast determination of the disability community has brought accessibility to the top of the public agenda.

We believe every Ontarian should have the opportunity to learn, work, play and otherwise participate in society to their fullest potential. Our proposed legislation would bring this day closer. It's a goal I know every member of this House would support.

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**The Acting Speaker (Mr Joseph N. Tascona):** It's time for questions and comments.

**Mr Garfield Dunlop (Simcoe North):** I will be speaking to this bill myself in just a few moments, but I would like to begin by thanking the minister and the member from London-Fanshawe for their comments.

There has been some very positive movement with this particular piece of legislation. As we move forward as a province into the 21st century, we will be requiring more and more help from the private sector and from the public in general to help people with disabilities. I think this bill moves forward in that direction very well.

It's timely that the bill was brought forward at this point, early in the mandate. It's not going to be as easy as you might think to implement it. It sounds good today when we're doing our leadoffs and we're sort of patting each other on the back, but the bottom line is that there are going to be some difficult times ahead, particularly with funding. That's why I believe the 20-year window is good, and I understand there will be a number of phase-ins over a five-year period.

I'd like to say that we as a society have to use all Ontarians to help build a stronger Ontario—I think every member in this House would probably agree with that—and to take full advantage of all the wonderful people who make up this great province makes Ontario the leader in our Confederation as well.

With that, I just want to bring my comments to a close at this point. I'll be asking in a few minutes to carry on with some further debate in the House.

**Mr Rosario Marchese (Trinity-Spadina):** I want to say on behalf of New Democrats that we will be supporting this bill. However, we are going to argue very strongly that there are some serious weaknesses, and we will



speak to that as best we can. We hope that the committee hearings will speak to what might be good in this bill, that they like, and we'll expect a lot of the deputants to talk about some of the deficiencies and the weaknesses of this bill. So while it is a step in the right direction, given that people with disabilities have waited a long time for accessibility, I think this bill will leave them waiting a lot longer than many of them would have wished.

This bill, as some might know, almost leaves everything, from timelines to incentives to enforcement, at the discretion of the minister. That may, in the minds of some, be good or not so good. In my mind, I have some doubts about what it means, unless you make it clear in your bill how you would deal with this issue specifically, by way of timelines that are a bit tighter than what they propose, by incentives and what it is that you propose to do. What specifically are you going to do, by way of enforcement, given that the government doesn't have the money to be able to deliver on many of the promises they have made, let alone promises they're about to make? It worries me profoundly about how much we can leave to the minister to deliver on the promises that they're making in this bill. I will have an opportunity to speak to it later on, and hopefully some of these issues will come out more clearly.

**Mrs Donna H. Cansfield (Etobicoke Centre):** It's my pleasure to rise in support of Bill 118, the Accessibility for Ontarians with Disabilities Act. I would like to, first of all, pay tribute to Minister Bountrogianni and to her tenacity—long before she came to this House—for her work with children with special needs, but also for her commitment to the community and for her ability to teach all of us the things that we needed to know to move forward.

I think it's also really important to acknowledge that for me one of the more crucial elements to the speech the minister gave was education and outreach. If we know we're going to change how people think, their concepts and their behaviour, we start where we should, and that's with our children. We're going to begin to make sure that children know and understand that each and every person in Ontario is deserving of the same respect and dignity. That's the tenacity that the minister has brought forward in respect of this bill that I think, in particular, deserves a great deal of credit.

Yes, it will be an ongoing process. This is the beginning—a long time in coming, there's no question, and we have lots of room with which to move. We will have the opportunity to continue to talk to people, to have discussions that are meaningful and will make a difference as those regulations are implemented. I have great faith in the commitment of Minister Bountrogianni to follow through, regardless. I say that because of her commitment that she has made in this particular file right from the beginning, and kudos to you, remarkable lady.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I too wish to commend Minister Bountrogianni for the bill that she's brought forward and welcome the discussion there.

I'd like to say hello to the deaf people in the audience, and relate some of my experiences. I know a little of the sign language from my family who are hearing impaired, and the challenges certainly that are faced by them in their day-to-day lives, in their working lives and in their education. I know I've spoken many times with Mr Parsons about the deaf and the hard-of-hearing, and what changes we need to make in our communities to have them more accepted and offer them more opportunities. There are going to be challenges out there, certainly, for the implementation of the bill.

I'm happy that the minister has commended some of the members from the other parties and their contributions. It is difficult for society to accept some of the changes, but I think that we've made great strides in the previous governments, and I hope that we continue to make those strides with this government, and all parties, to contribute to the changes that need to be made.

So I'd like to thank the people in the gallery who have come today. I know it does take an extra effort, and I hope you appreciate that we're all going to try to work together on this bill. I just wanted to say that we certainly will give consideration to any input that members may have, and I look forward to further debate on this bill.

**The Acting Speaker:** The Chair recognizes the minister.

**Hon Mrs Bountrogianni:** I'd like to thank the members from Simcoe North, Trinity-Spadina, Etobicoke Centre and Haliburton-Victoria-Brock for their comments and their support of various kinds.

The member from Simcoe North talked about the challenges of business. The Ontario Chamber of Commerce, the Retail Council and other business organizations have supported this legislation. Our timelines are reasonable, and I believe that is going to be a major factor in working together to implement this.

The member from Trinity-Spadina has the opposite problem with the timelines; he wants to go quicker. We'll talk about that in public hearings, but I'd like to remind the member from Trinity-Spadina that standards will be developed in five-year increments or less so that we will be meeting these goals as quickly as possible, as reasonably as possible.

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Our 20-year timeline is a 20-year end point where Ontario will be fully accessible for people with all disabilities. In comparison to Australia, which has a 30-year timeline for one standard alone—transportation—and to the United States, which has a 25-year timeline, I think that is making us the leading jurisdiction in the world.

I'd like to thank warmly my friend and colleague from Etobicoke Centre. I share her passion—and I know she's very passionate and has a long history in education—on the educational component of this. There can be nothing more important than educating the public along the way. We don't want anything to backfire. We don't want to hurt the very people we're trying to help. Education and public outreach are key here. We know that when people



are educated of the issues, they want to do the right thing. It's the ignorance that often gets in the way.

The member from Haliburton-Victoria-Brock: very impressive with your American sign language. I speak that much slower, and I only know two sentences. I really look forward to your input and your expertise, as well as the expertise of all members of the House. There will be passionate partisan arguments. That's part of the nature of this place, but I do know that I will be receiving support from all members of the House in making this a strong piece of legislation.

**The Acting Speaker:** Further debate?

**Mr Dunlop:** I ask this House if we could have unanimous consent to defer our leadoff on this bill until Monday evening. I believe it's Monday evening when Cam Jackson will be commenting.

**The Acting Speaker:** The member is moving unanimous consent to consider a motion for laying down their lead. Is there unanimous consent? Is there unanimous consent to have the lead for the official opposition put off? Agreed? OK. The Chair recognizes the member from Simcoe North.

**Mr Dunlop:** I'm very pleased to be able to rise today and make a few comments on Bill 118. I want to begin by welcoming everyone in the audience who's here to participate in this debate. It's a very important debate. I understand we'll be debating not only this afternoon but also next Monday evening and next Thursday evening. So for other folks who are wanting to take part in this and join us here at the Legislature, I welcome you. I want to also welcome the interpreters for the hearing-impaired who are here today. It's good to see you in the audience, and I welcome you here as well.

Because I'm doing this 20-minute comment on behalf of our caucus right now, I would like to read into the record the reasons that Mr Jackson is not here today. He wanted to be here, and he will be here Monday and Thursday of next week, but I would like to inform all members of the House that my colleague Cam Jackson, the member for Burlington and the PC advocate for persons with disabilities, could not be here today. Mr Jackson is in Quebec City for the Ontario-Québec Parliamentary Association meeting to present an important paper on the delivery of health care services to seniors.

Mr Jackson will participate in the debate next week. In his absence, I would like to recognize his contributions on behalf of persons with disabilities in Ontario as the PC minister who developed Canada's most comprehensive disabilities legislation, Bill 125, the Ontarians with Disabilities Act, 2001, which was mentioned earlier, of course. I would call the attention of all members to the fact that the current bill before the House is based on the legislation, or a lot of the legislation, that was first delivered and implemented by the member from Burlington back in 2001.

I have to tell you that Cam Jackson is a strong advocate not only for people with disabilities, but he's a very active member for the seniors in our province. I think each and every week, Mr Jackson gives a radio

broadcast on seniors' issues in the province and has just literally hundreds of thousands of fans out there that he brings with his comments.

Bill 118, the legislation we're debating here today, as Minister Bountrogianni had mentioned, is an important piece of legislation, and it's the next step as we proceed in building Ontario and dealing with the people who have disabilities.

In my comments in the next 17 minutes, I'd like to talk about a few individuals who were born many years ago but overcame disabilities. They are some of the people I like to think about whenever I think of people with disabilities because they are very strong citizens who overcame their disabilities and became very active members of their communities.

I want to compliment the minister on bringing forth the bill. When you're debating legislation in this House, there's so much to bring forward all the time. All the ministers battle for space on the legislative table here so they can debate their pieces of legislation, but this bill, again, is a giant stepping stone in moving forward as a province. I'm going to tell you right up front that I have some concerns, particularly—I'll refer to them in a few minutes. My concerns involve how we're going to implement it with some of the small businesses around without putting them out of business.

Before I get off the subject of the minister, I do want to thank her for complimenting some of our members, Mr Jackson and Mr Baird. I don't think we have a lot of people on this side of the House who are opposed to moving forward with this next step. If you look back in history, you'll see that we've come a long way in this province, but we've got a long way to go. I'm hoping that with this piece of legislation we can move forward in a very positive manner, looking for amendments where they're required at committee, and really and truly looking out for the fairness that people who have handicaps face, and looking for opportunities that we can address as well as we try to build a better province.

There are three individuals I've dealt with up to this point in my life whom I want to mention a little bit today. A couple of them aren't with us any longer. One is a gentleman from up in the Coldwater area by the name of Frank Gleadall, and I want to put this on the record. Frank passed away a few years ago. Frank was a little bit older than my mother, and my mother would be 72 or 73 years old today, so probably if Frank were alive he'd be 75 or 76. Frank was born with one arm and one leg. He was never injured, he was just born that way. At that time, if you go back 75 years ago, a lot of people were put in institutions, or they certainly weren't handled the way we would treat people today. Frank's father made him a little sort of peg leg to give him balance. He never had crutches or anything like that. Frank had such a desire to live and excel in so many things. His strength was in his personality, and his strength was that he just wanted to excel in everything he did.

I'm telling you, as I grew up in this small community named Coldwater, Frank did everything that everybody



else could possibly do. He played hockey—he was actually the goaltender; he played different sports. Frank worked at numerous jobs. He put in hay on the farm, the parents' farm; he worked all of the equipment; he drove a bulldozer for construction companies, and he did this with one arm and one leg. He was an exceptional human being and never, ever had any kind of assistance because we never had any programs in place to even offer Frank. But along with his mom and dad and family members, and the whole community that accepted him, he made sure that he fulfilled a life. He had two daughters and a wife, and they had a great life together. I can just say that in my time he was really the first handicapped person I ever knew, and yet he really wasn't considered handicapped because he was such an exceptional person in the fact that he made himself fit in and he had this burning desire to fit into the community.

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The second gentleman I have to mention is a fellow by the name of Tom O'Hara. Tom is living today in Wau-  
baushene. He was a very active person in the construction community and built a number of large buildings. Then one evening, around 1970, Tom was in a snowmobile accident. His spinal cord was ruptured or severed and Tom could never walk again. He spent the next few years of his life in a wheelchair.

I've been in a number of the buildings that Tom O'Hara constructed, and it's amazing that a lot of them were commercial buildings but none of them had elevators, because in the early 1970s we didn't treat buildings with that kind of respect. I'm talking about two- and three-storey buildings. Today those buildings, of course, all have elevators.

Tom went on and spent a lot of years on council. He was a deputy fire chief up in the township of Tay, and I can tell you, he has never let his handicap, in the wheelchair, get in his way.

The third person I want to talk about is a fellow by the name of Wally Higgins. Wally is a guy who was also in an accident. He was from Nova Scotia and moved up to the Orillia area. I believe he was in an accident involving—he was a mechanic, and in the accident a car came down on his legs and he lost the use of his legs. In fact, I think both of his legs had to be severed.

I was the reeve in the village of Coldwater council, and our council meetings were held on the second floor of the building. I can remember as though it were yesterday—and this is going back between 1985 and 1995—Wally coming to our council meetings. If he didn't have his wheelchair, he'd climb up the stairs and work his way, without any legs, across the floor. It was actually embarrassing to think that we never had any kind of access. At other times, Wally would come to the meetings and we would carry him up this little set of skinny stairways so that he could attend the meeting.

I look back, and of course today we don't have council chambers like that. We don't have fire halls or hardly any public facilities like that. But I can remember, as though it were yesterday, how he wanted to be part of the

community. Wally never came to the council meetings to complain about his handicap. He was always concerned about a drainage ditch or the condition of a road or something like that. He held an active part in the community. He still worked on cars, even though he had lost the use of his legs, and was just a great, wonderful person in our community.

Those are three gentlemen who overcame their disabilities and were active members of the community. Today, they would certainly be treated differently in the kind of lifestyle we expect people with handicaps to have.

I'd also like to mention seniors for a couple of minutes, because the seniors are such an important part of the people. Because there are older citizens, many of them of course have disabilities today. I think we've done a fairly good job in this province, particularly in our nursing homes. My mother-in-law is in a nursing home today. One of the reasons she's in this particular home is the fact that it's got a great elevator system, and great guardrails around, because so many people who are seniors today have had problems because of falls. Thank God we have these facilities today where people aren't worried about climbing up and down stairs, like in a home. That's why I wanted to bring up seniors in this one way here today.

In my riding of Simcoe North, I have two constituency offices. We have a lot of walk-in traffic. One of the key things I've always maintained is that no matter where my offices were in Midland and Orillia, they had to be handicapped-accessible, to have access for people with wheelchairs. I can tell you, it's amazing, even to this day, how many people have come into my office voicing concerns. Again, they don't come in concerned about accessibility; they're concerned about other issues they face in the community. But if it's something that members in this House have a problem with, if you don't have accessibility, that's one thing I think we all should do: Make sure that all 103 members' constituency offices have access for people with wheelchairs and with disabilities. It's very, very important to have that giant step taken forward.

There are a couple of other positive things I want to mention before I go on to a couple of negative things, and I know I'm running out of time really quickly. The Ontario Provincial Police—I was at a function just a week ago, and one of the recipients of an honours award was a gentleman working with the OPP. He was receiving an award, and he is hearing-impaired. I was so pleased that the Ontario Provincial Police at the honours awards night at Hawk Ridge Golf and Country Club made sure they had an interpreter for his hearing impairment. She was at that event and did the whole event for him. I complimented the commissioner on the fact that she cared so much that this actually happened.

I just wanted to say one other thing here very briefly, to compliment an individual, Mr Albert Stein, chair of the board of directors for the Simcoe County Association for the Physically Disabled. I want to compliment him on

the good work he has done in the region of Simcoe county.

I only have five minutes left and I want to get down to a couple of quick points. My concerns with the bill—even on the phase-in, there are a few places where I think we're going to have trouble. If we phase in the private sector over the next 20 years, there are still businesses, even after 20 years, where there may be problems. I'm thinking of things like bed and breakfasts. There are literally thousands of bed and breakfasts throughout our province. Many of them are old, old homes, and it would be very, very expensive to add elevators—not necessarily ramps, but the elevators will be very expensive to add to some of these homes.

I think one of the things we have to look at is that if we're expecting the private sector to adhere to all the laws for the physically disabled, there's going to have to be some assistance from the government—some grants, some loans, you name it—because in some cases, the cost of an elevator, for example, to go from the ground level to the second floor is \$25,000 or \$30,000. They just don't make enough money to ever pay for that with a two-bedroom or a four-bedroom bed and breakfast. And yet we don't want to lose those people in our province either. So that's the type of concern I've got to begin with on that.

On the other hand, I hope that the one thing the government could do, and the minister can lead with this in her comments—things like the Ontario Trillium Foundation, a great program. We've had a lot of assistance to some of our facilities, and I'm really hoping that as we implement Bill 118, programs like the Trillium Foundation can actually be expanded and possibly have a specific area or a specific programming portion of the foundation that we could use just for assistance for different buildings and different organizations that are non-profit—maybe more for churches, community halls, so they could take advantage of money to help them replace barriers that are there for the people with disabilities.

This bill is a giant step. I'm not saying for one second that it's going to be an easy step. I'm pretty sure I'm going to be supporting the bill all the way through. There are too many people whose lives can be improved upon by making this bill law and making sure that the government and governments of the future will provide assistance so that we can make sure that a lot of the buildings across our province are fit physically for handling people who have disabilities.

1620

One area I was going to get into, and I think it can be addressed, is a lot of the fancy restaurants and dining rooms we have that are on second and third floors of old houses and that sort of thing. There are going to be some real challenges as we try to move forward. But the minister has assured us that the Ontario Chamber of Commerce, and I'm guessing a lot of the smaller chambers of commerce, would want to support this.

As Ontario citizens, we're a caring people. I think we want to move forward in a positive manner, and possibly, between the government and municipalities and private sector associations, we can help each other over the next 20 years remove most of the barriers that are in place now so that we can move ahead in the future.

So again, Mr Speaker, my time is winding down here. I thank you, first of all, for allowing Mr Jackson's time to be put off until Monday night. I know he's passionate about this. Again, I apologize to the stakeholders here today that Mr Jackson couldn't be the leadoff, but if you can make it back on Monday night, he'll want to talk to you. He'll give a better speech than I did, because he knows a lot more about this particular program.

I thank everyone for listening to me today. I hope you've got some positive responses to my comments. Again, I look forward to debate in the House. I look forward to what committee hearings we have on it and any amendments the opposition parties or the government may bring forth on this legislation.

With that, I thank you, and I look forward to further debate.

**The Acting Speaker:** It's time for questions and comments.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** It's my pleasure to stand and respond to the comments made by the member for Simcoe North.

Not only is this Bill 118 a historic piece of legislation—I think we will all look back at the time that we've spent in the Legislature and be very proud of the implementation of such historic legislation that will make Ontario, as it should be, a world leader on this front—but I also think the coming together of all parties is reflective of a consultation process that has brought all the communities together: the business community, the community of advocates, of people who work in our communities each and every day and have worked for many years to make sure that our communities are accessible and barrier-free.

Looking at the language that's contained in the legislation, I was very proud and am very proud to be talking about something like preventing barriers which prevent a person from fully participating in all aspects of society because of his or her disability. That is very inclusive language, and I think it's language that we will see, if we all work together—as is apparent from the discussion today, yes, there are going to be issues that we need to resolve, and yes, there are going to be those small businesses that we need to work with, but the consultation process, where we're bringing communities together to establish those standards, will at the end of the day make all of us, in all of Ontario, feel very proud and feel part of this process. My colleague from Etobicoke Centre talked about the need to educate, as did the minister who is bringing forward this legislation. A consultation process, an inclusion process, will make all Ontarians feel proud to be a world leader and feel that they have been part of this historic progression in our province.



**Mr Jerry J. Ouellette (Oshawa):** I very much appreciate the opportunity to comment on the member for Simcoe North's remarks regarding Bill 118. Of course, he mentioned some aspect of the Trillium fund. In our local riding, the Trillium fund has been very successful in upgrading particularly a lot of service clubs or organizations as such for either ramps or elevators. I know locally the 420 Wing is currently in the process of utilizing Trillium funds, or trying to, to make washrooms accessible. But this is something that we as a community need to focus on and move forward on.

I sat in on a vision plan locally with the community of Oshawa, where I was with Mr Pigden. His job is to go around to the various parts of the city, identifying curbs. This is quite extensive when you look at even curbs as being accessible for scooters in that aspect. Every year, the city of Oshawa expands the number of curbs that are scooter accessible. They go into the great details about the angles and the ramps and those sorts of things.

I know that groups like the Masons are very active in Oshawa in providing guide dogs in a number of aspects for individuals with vision-impaired disabilities. In my own family tree, a lot of our family members, including a great-uncle and an aunt of mine, lost their vision through genetics. I know that shortly I'll have to take care to make sure that it doesn't hit me or my family.

Aspects of this are very important to the community in moving forward in a very positive way, and I commend the minister for moving forward with this, and the member from Simcoe North for his comments.

There are certain aspects about the 20-year phase-in plan. What about when the change of ownership takes place with facilities, and any possibility for upgrades at that time, as part of the conditions of sales and other things that could be looked at? I know that there will be a lot further debate, and I look forward to committee on this very important bill.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and make a few comments about Bill 118.

I suspect many of us know persons who can avail themselves of an enhanced Accessibility for Ontarians with Disabilities Act. I have an aunt who neither hears nor speaks, and I am so very proud of her. I will be kind and just say that she's into her 70s now, but it was a different day for her some time ago. We didn't have the learning tools that we have now. Imagine someone who neither hears nor speaks, but her grammar, her writing, her English is perfect. I've proofread her letters for her on occasions, and her enunciation and her prose are better than mine.

My Aunt Loretta took care of me as a youth. She kept house, and I think she did an excellent job. At least with me, she had a real challenge there, trying to ensure that this young rascal did indeed make something of himself in the future. I asked her one time, how is it that people who are hearing-impaired know when their children are crying, their young babes are crying at night? This is what they had to do years ago. They slept with their arms in the bed, and when the crib would shake with that

crying, they realized that the babe needed help. Now we have devices that do that—electronic devices, doorbells that turn lights on in the home—but it was much different then, my point here being that we moved from a time of sleeping with one's hand in the bed to having devices that alert us to a crying babe.

Surely, this bill should move all Ontarians, businesses, communities around the province into a new age, a modern age of the 21st century. I'm pleased that the minister has introduced Bill 118.

**Mr Bob Delaney (Mississauga West):** I'm pleased to add my voice in this debate. It recalls to me the election of 1999 when a gentleman drove up in a van and introduced himself. His name was Chris Portelli, and if he's watching, I send Chris Portelli my greetings. Chris was the man who first introduced me to the issue of Ontarians with disabilities.

As a government, it's important that those of us who routinely take for granted our ability simply to get out of our cars, walk into the building, go upstairs and then walk down here, realize how much those who can't do these things rely upon us to give them a hand to participate as full equals in our society. Although one may not be able to get around or may not have the use of their sight or their hearing, in many cases we're dealing with people who have an active mind and a terrific imagination.

This act, if passed—and I hope this sentiment echoes as "once passed"—extends, to the ladies and gentlemen who represent Ontarians with disabilities, a chance to join our society in many more ways than they have now as full and equal partners.

I know that I'll be supporting this particular bill. I urge my colleagues to do the same. This is the act that will allow people to participate at work, to participate in recreation, and to join those who are fortunate enough to have been born of sound bodies, and to consider themselves full Ontarians in every way.

1630

**The Acting Speaker:** The Chair recognizes the member from Simcoe North in response.

**Mr Dunlop:** I'd like to thank the members for Etobicoke-Lakeshore, Oshawa, Chatham-Kent-Essex and Mississauga West for their comments on my little speech.

The minister mentioned in her remarks looking back in the future and what an important piece of legislation this would be. I really hope that as we get older—and many of us won't be here—if we look back in 20 or 25 years, we will say that this was really a no-brainer at that time; that we needed this legislation and it was done, and we can hardly believe society existed without this legislation previous to that. That way, we will know we got this legislation right.

As I said earlier, I don't know if this is the final step in making this a barrier-free or completely accessible province, but my guess is that if it's implemented properly, if it's phased in properly, if there's proper assistance for, in some cases, the private sector and, in other cases, non-profit and also public facilities, it should go a long way to

helping the people with physical disabilities in our province. I think that's our role in Parliament. If we don't do it here, if we can't make it a success here, then who is going to do it?

With that, I thank all the people who responded to my 20-minute speech. I look forward to listening to the NDP and their comments following me.

**The Acting Speaker:** The Chair recognizes the member from Trinity-Spadina.

**Mr Marchese:** I'll be speaking for a little while on Bill 118. I'm happy to have this time.

New Democrats support this bill, but I've got to tell you, it's with robust reservations that we do it. When the member from Etobicoke-Lakeshore says, "This is an historic piece of legislation," I don't know if I would say "historic." To say "historic," it sounds like it's really, really big. It sounds like you have really solved the problems of people with disabilities. And I've got to tell you, I'm sorry, the bill doesn't do that. So I wouldn't call it historic. I would see it as a modest bill that some people will like and that some people who come from the disability movement will criticize. I happen to be one who says that this is an OK bill, but it doesn't go as far as I certainly would like and as far as many with disabilities would like.

We know that about 15% of the population here in Ontario has a disability of sorts, and we know that they face numerous barriers in gaining access to and fully participating in important activities such as jobs, access to information, communication, education at all levels, public transit, and the use of goods, services and facilities that the general public usually enjoys.

We understand those challenges, because when we introduced employment equity in the early 1990s, we faced tremendous opposition. That was historic. When you have so many people challenging you, including the Conservative Party and the Liberal Party, and many, many people in the community saying, "This is wrong"—that was an historic bill. That tells you how controversial the measures were that we introduced and why many were challenging it.

Why did we introduce employment equity at the time? We knew there were target groups that faced discrimination on a regular basis. We had established, as is common knowledge in the field of discrimination, that there were four groups that had to deal with issues of discrimination: There were women, people of colour, aboriginal people and people with disabilities.

I think it was a fact. I think most people understand that it is a fact. Maybe many might not want to understand it, might want to pretend it's not an issue that we have to deal with, or that those groups are dealing with or would have to deal with or will have to deal with for an eternity. Many would rather hide from facing this issue, but we dealt with it.

We know aboriginal people face discrimination daily and have faced it historically, and they will continue to have to deal with discrimination for a long, long time. I don't know how they suffer the issues of poverty and the

issues of disabilities and the issues of having to deal with a legacy of alcoholism that we, as Europeans, passed on to them. That's one tough legacy to leave. It is one tough problem to escape. It is something you deal with day in and day out, year in and year out, decade after decade.

People of colour face this issue all the time. Many politicians would prefer not to talk about the issue of racism and about the issue of discrimination, but we know that they face it, and people of colour know that they face it daily. While it might be comfortable for those of us who don't face similar discrimination to simply pretend we are all equal, that is not the case.

The Conservative Party used to say that we were all equal and that we didn't need employment equity. The Conservative Party at the time called employment equity measures "quotas," as a way of mobilizing opposition against it. They were very effective and it worked.

We know that people with disabilities face discrimination daily, regularly, everywhere. What we tried to do through employment equity was to provide a measure of redress in law, because we knew that voluntary measures do not work, did not work and will not work.

But having to face the attacks from the Conservative Party that we were dealing with a quota bill, that we shouldn't be introducing these Big Brother kinds of measures, that we are all equal under the law, and that if anybody had any problem they could go to the human rights commission and deal with it—that's not the way to deal with issues of discrimination. We all know how hard it is to take an issue to the human rights commission, and I will speak to that in a few moments.

But many argued, as we introduced this bill into the Legislature, in committee that we should be dealing with issues of hiring practices on the basis of merit and nothing else. I remember the Liberals arguing that as well. I remember the Tories arguing that. In my view that was code for saying we can continue to discriminate, that when you base hiring on the basis of merit it's code for saying that, all things being equal, we will hire someone who is white over someone who is black, as opposed to all things being equal, we should hire someone who is a person of colour because we know discrimination exists.

We had one heck of a time. That was historic: facing Liberals daily here in the Legislature, facing Tories daily in this Legislature, facing communities out there that believed the message from the Conservative Party that we were dealing with quotas—ie, they were going to hire people on the basis of how many people of colour there are, how many aboriginal people of colour there are—and that all of a sudden people of colour will get the jobs and other white people will not get the jobs; aboriginal people will get the jobs and other white able-bodied people will not; people with disabilities will get the jobs and other white able-bodied people will not. We had to deal with that daily.

1640

It didn't make the Liberals flinch at the time; it didn't make the Tories flinch at the time. No, we had to do it alone. Not one Liberal at the time stood beside us and



with us to defend it—not one Liberal. It was tough. That was the time that we could have used a modest alliance from Liberals, who, from time to time, claim they have a heart on these matters, as they do today. Boy, could we have used them then. When the onslaught came on a regular basis, we couldn't turn to one of them to say, "Help us out"—no siree.

Today we have introduction of a bill from the Liberals, and so proudly they say, "Oh, so historic. Oh, aren't we so happy. Oh, aren't we doing the best thing that we could do," and on and on. It's tiring. It exhausts me, I've got to tell you, just to listen to it.

If I hadn't had that experience of dealing with employment equity, I might have felt differently, and I might have said, "This is a good thing; this is really good." But having had the experience of introducing employment equity in this place and having had not one Liberal stand up to defend it—because why? They were afraid? Because why? At the time they couldn't defend the issue of employment equity? Because why? They wanted to defend the Conservative message on hiring on the basis of merit? They couldn't stand up on the issue of the whole matter when we were saying, "If you've got in one community these kinds of employers and you have this kind of a makeup or a distribution of a community that represents"—I don't know; people of colour are in the order of 15% to 20% to 30% of them living in that community. What we were saying then was that employers should hire the makeup of that community, and not on the basis of quota but on the basis of targets that one can move in, that we could defend, that were defensible, that allowed the employer to move in that direction and that allowed a modicum of respect and a modicum of respite for those who face the challenges of getting into that workplace.

As we know, these target groups—people with disabilities, aboriginal people, people of colour—are the last ones to be hired and the first to be fired. That's the reality. And while it is true that women have made tremendous gains in the last 20, 30, 40 years, they still make 70% of wages of men. Many women are still behind men in terms of who gets hired in many of the workplaces. That is still the case. Yes, they made gains, but not as far as they can and as they should, based on their abilities.

So yes, we felt it a duty as a government to introduce legislation, because we knew that voluntary measures do not work. Try as you might with the legislation that the Tories introduced many, many years ago, it was all too voluntary, lacking in enforcement mechanisms. No one was obliged to do anything. What kind of a bill was that to present to people with disabilities?

People with disabilities face tremendous barriers. Yes, we know that. So the point for me is, does this bill go far enough? Disabled Ontarians have waited a long time for accessibility, and this bill will leave them waiting even longer. Will they accept that? I suspect there will be some people with disabilities who will say, "This is better than a kick in the teeth. Let's accept it, because it moves us in the right direction." But I am one who says,

this is not a bold step; this is not a bold action. This is a very cautious bill designed not to offend the general public, not to offend employers, and one that tries not to offend people with disabilities in a way that would turn them against this government. I am sure government members are calling people they know, where there are organizations of people with disabilities, saying, "Work with us. Try not to criticize us. We know this is not a great bill." I suspect this is being said: "We know it's not a great bill, but work with us. We're going to try to make it the best we possibly can." I know this is what's happening, and I know that a lot of organizations are going to buy into that. What else can they do?

So we are presented with this bill that attempts to build on the 11 principles that were adopted by this Legislature in 1998. I want to try to review some of those principles, state what was said in 1998, and speak to, as briefly as I can, where I believe the failings of this bill are as they are premised on those 11 principles.

In 1998, the Legislature adopted a resolution on the principles that would be embodied in an Ontarians with Disabilities Act, and one of them was that, "in the opinion of this House, since persons with disabilities in Ontario face systemic barriers in access to employment, services, goods, facilities and accommodation; and since all Ontarians will benefit from the removal of these barriers," this House resolves that "the Ontarians with Disabilities Act should embody the following principles:

"The purpose of the Ontarians with Disabilities Act should be to effectively ensure to persons with disabilities in Ontario the equal opportunity to fully and meaningfully participate in all aspects of life in Ontario based on their individual merit, by removing existing barriers confronting them and by preventing the creation of new barriers. It should seek to achieve a barrier-free Ontario for persons with disabilities within as short a time as is reasonably possible, with implementation to begin immediately upon proclamation."

The current legislation sets a goal of a barrier-free Ontario within 20 years. That's what this legislation does; that's what this legislation says. Is this really as short a time as possible?

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Linda Crabtree, co-chair of the mayor's advisory committee on accessibility for the city of St Catharines, says the following: "A lot of us will be dead in 20 years—most of us will be dead. We can't wait 20 years. It's better than nothing, that's for sure. But to phase it in over 20 years—we need some real action now."

Do you understand the problem? I understand what she's saying. Liberals say that this is an historic document. Linda Crabtree says, "You're going to implement this bill and it's going to take 20 years to implement it? Twenty years? If I'm 60, I'll be 80, and if I'm 50, I'll be 70. If I'm 70, I'll be 90. Maybe I'll be able to benefit from this; I don't know." What Linda is saying is, "I might be dead in 20 years."

The Liberals are saying, "We understand that nature will take its course and that some people, quite inexor-



ably, will die. There's nothing we can do about it. And sorry, yes, you have to wait 20 years because that's what we say. We can't do it any better, we can't go any faster, because that's just the Liberal way. We need to take a whole lot of time to do this, and no, we can't do it any faster because we just don't know how to do it any faster. Yes, it takes 20 years to consult with people because, as the minister said, standards must be negotiated, and the partners will set the standards."

I thought it was the job of governments to set the standards. I thought it was the job of governments to be bold and not hide, in my humble view, from the notion that we are doing this together, and that those people with disabilities have to help to create the standards. It seems to me that the minister is hiding behind some process in order to achieve a goal that could be set by government. In my view, this is a failure to act. In my view, this is a fear of acting. So when Liberals stand up to say that this is historical, I don't want to crack up, obviously, because this is a serious issue, but it's hard to contain myself. Speaker, you understand. I'm trying to contain myself because you've got to be respectful, as best as you can. This bill doesn't do it.

It says that the current legislation sets a goal of a barrier-free Ontario within 20 years. Is this really as short a time as possible? No, it's not. This is not right. And why is it that we want it to go to committee? We want it to go to committee so we can see whether Linda Crabtree is correct in her assessment of this bill; whether she and others have the view that we can't wait 20 years or whether people with disabilities are saying, "That's OK. That's as best as we can accomplish. We'll work with what we've got."

If, at the end of it, people say that's OK, then in spite of the criticisms we have, which are rather robust, we will submit to it and wait, like them. It's hard for me to adjudicate or judge their opinions on the basis that, if they are suffering a disability, I should say it's not good that they should wait 20 years. But if they're willing to wait 20 years, I'm willing to work with that. So we want hearings, and I'll speak to that in a little while.

"The Ontarians with Disabilities Act's requirements should supersede"—that's another one of the 11 principles—"all other legislation, regulations or policies which either conflict with it, or which provide lesser protections and entitlements to persons with disabilities." Speaker, you're a lawyer; you understand this. Some people don't. This act would supersede anything else that is currently in place in any other legislation or bill. That's what one of the 11 principles states. The government, however, is doing the following. Section 3 of the bill states that this is not the case for this bill: "Nothing in this act"—meaning Bill 118—"or in the regulations diminishes in any way the legal obligations of the government of Ontario or of any person or organization with respect to persons with disabilities that are imposed under any other act or otherwise imposed by law."

It's all legal stuff. It's all legal stuff saying that, in spite of that principle that I enumerated, we go on as we

always did; that this act will not override other acts, will not supersede them; that we will continue as we always have. Even if there are problems, challenges, discrimination and the like, we go on.

**Mr Ramal:** That's not correct, Mr Marchese.

**Mr Marchese:** The parliamentary assistant says what I'm saying is not correct, although I just read for him what his bill says. He's saying, "That's not correct." But I stand to be corrected; there's no doubt about it. I'm not a lawyer. I know there are some members on the other side who are, and they'll be able to speak to that. That's OK.

I go on. Another one of the 11 principles articulated in 1998: "The Ontarians with Disabilities Act should require government entities, public premises, companies and organizations to be made fully accessible to all persons with disabilities through the removal of existing barriers and the prevention of the creation of new barriers, within strict time frames to be prescribed in the legislation or regulations."

While the bill does promise time frames to be established by regulation, we don't know what those regulations will be, whether they will be truly strict or not, or real guarantees about what they will be at all. We have no clue. We are only left with the government saying, "This is historic"; we're only left with government saying, "We're doing this in partnership." What those time frames will be, we don't have a clue. We can only wait and hope for the best.

Is that good enough? I don't know. Maybe it's good for organizations who are dealing with these issues, but at the moment, in terms of our reading of this bill, we've got some serious concerns.

I go on to speak about other principles articulated in 1998: "The Ontarians with Disabilities Act should require the providers of goods, services and facilities to the public to ensure that their goods, services and facilities are fully usable by persons with disabilities and that they are designed to reasonably accommodate the needs of persons with disabilities. Included among services, goods and facilities, among other things, are all aspects of education including primary, secondary and post-secondary education, as well as providers of transportation and communication facilities (to the extent that Ontario can regulate these) and public sector providers of information to the public, eg, governments. Providers of these goods, services and facilities should be required to devise and implement detailed plans to remove existing barriers within legislated timetables."

The government, it is true, has put out, ministry by ministry, accessibility plans in anticipation of this bill, but a quick look at them shows that they are far from being "detailed plans to remove existing barriers within legislated timetables."

For example, we observed the Ministry of Training, Colleges and Universities say that its 2003-04 commitment to review the youth marketing initiative for their recruitment of young people into the Ontario public service to identify any barriers has been deferred. I'm telling



you, this is going to take a whole long time, it seems. Unless you truly commit to dealing with barriers, it's going to take forever. When they are virtually voluntary, it's going to take a long time. That's why Linda Crabtree is so worried that she says, "People like me might be dead by the time something happens."

We've got to push this. If we are not committed to seriously pushing it to make it happen, it will be delayed for a long time and it will languish.

1700

Another principle: "The Ontarians with Disabilities Act should require public and private sector employers to take proactive steps to achieve barrier-free workplaces within prescribed time limits. Among other things, employers should be required to identify existing barriers which impede persons with disabilities, and then to devise and implement plans for the removal of these barriers, and for the prevention of new barriers in the workplace."

Yes, we think the act may do this, but it may not. It depends on the regulations set by the minister. We are not convinced that these things will happen as they appear. All things are not as they seem. So much will depend on regulation, based on what the minister of the day may or may not want to achieve, or by a change of government that may or may not deal with this in a more timely way. So much depends on the minister deciding to push the elephant a little bit or not to push it.

Continuing a little bit with the principles agreed in 1998: "The Ontarians with Disabilities Act should provide for a prompt and effective process for enforcement. It should not simply incorporate the existing procedures for filing discrimination complaints with the Ontario Human Rights Commission, as these are too slow and cumbersome, and yield inadequate remedies."

Boy, is that ever true. Just speaking to that briefly, how many individuals do we know who have tried to take on the Ontario Human Rights Commission on an issue of discrimination? We have known and know today that it takes anywhere from six months to a year to two years to three years to never solving the problem. How well we know how ineffective this is.

The requirement to file is so cumbersome and so involving that individuals simply do not have the strength or the resources to take their matter of discrimination to the human rights commission. That is why so many of them fail. So while the Tories used to say, "If you feel discriminated against, you can take it to the human rights commission," it doesn't work because it relies on individuals to take the initiative. How many individuals out there have the strength, the wherewithal, the money to be able to take something like that on? They don't.

We are not equal in society. We are not all equal. We are not all born with equal conditions, though we all should be entitled to. We are literally born unequal in so many ways, because if you don't have a disability, you're a little more equal than somebody else. If you have some money or a lot of money, you're a lot more equal than many others, and boy, there are a lot of billionaires in this

country, there are a lot of billionaires in the US, and we're producing more and more billionaires. They are more equal than me, more equal than people with disabilities, more equal than aboriginal peoples, more equal than people of colour, because with money you can do so much and you can buy so much. We are not all equal.

While obviously we support the human rights commission as an institution, we decry the cuts the Conservative Party made and the cuts the Liberals have made here as well in this regard. We need more people at the human rights commission to deal with issues, not fewer people, and we need to deal with systemic problems, not individual problems. You cannot solve issues that have a huge impact on people's lives on a one-to-one basis. We need to tackle this systemically.

I know the Liberals are proud of this initiative. They think this is one of the ways they're dealing with it, and I'm saying it falls, oh, so short.

The act succeeds in this in part, but it relies heavily on inspectors—speaking to one of those principles—hired by the ministry to enforce this law. Given the cuts faced by ministries under this government, it remains to be seen whether there will be enough inspectors to enforce the law.

We are profoundly worried every time this government says, "We will enforce it by hiring more inspectors." This government claims they have two priorities, and those are health and education. Then they say, "Because we're so concerned about these two particular ones, we may have to and we will engage in cutting money from other ministries." Many of you are familiar with the fact that when people apply for a marriage certificate, it takes months. It could take a year. If you're applying for a birth certificate, it takes months. In most cases it takes a year.

**Mr Ramal:** We fixed it.

**Mr Marchese:** The parliamentary assistant to this minister says, "We fixed it." He doesn't have a clue about this, otherwise he wouldn't say it because the problem is not fixed; the problem continues. The waiting lists are as long as they were six months ago. People languish waiting. If we're going to wait for enforcement to happen by this government by hiring more inspectors, I don't think it's coming. It won't be there because this government is modernizing, which is a euphemism for cutting a lot more programs that so many people rely on.

Ministries are going to have to face 5% to 10% to 15% cuts in order for the government to be able to manage their promises. I remind people that if you believe this government has solved the issues of education and health, you have another think coming, because they haven't solved them. The problems are huge.

I've tried to show some of the inadequacies of what this government is doing as it relates to education, and my colleague, Shelley Martel, is doing it with health. As we show that there are tremendous inadequacies in what this government is doing in terms of dealing with their priorities, imagine what will happen with all those other



ministries that are not their priority. Their modernization, which means cutting, will be felt by many people expecting services that were cut tremendously by the former government, in the last regime, over eight years. It's going to get worse.

While some people hope that this economy will continue to go on at its rosy pace, my view is that the next recession is going to be ugly. If some of you were around when we were in government and witnessed the devastation on people's lives of the recession we had, the next recession will be brutal.

**Mr Mike Colle (Eglinton-Lawrence):** Don't be so doom and gloom.

**Mr Marchese:** My colleague the member from Eglinton-Marchese thinks this is a gloomy picture to predict. It's nice to be realistic or pragmatic, as some Liberals would say, from time to time. A pragmatic view from time to time would show a recognition that we've got to anticipate the best and the worst, wouldn't you say, Mike?

**Mr Colle:** Yes, but you always give the worst. Give some of the good stuff.

**Mr Marchese:** Michael's going to stand up soon and give us a rosy picture of how beautiful things are.

1710

**Mr Colle:** You ought to give some balance.

**Mr Marchese:** I know, but it's not for me to give the balance. My role—

*Interjections.*

**Mr Marchese:** Not for me, no. This is a territory occupied fully by Liberals. It's hard to displace you from that role. You guys are so rooted on that fence, it's hard for me to tip you off that fence. I understand that. I know that some of you are smiling. The smile is a reflection of a reality and a truth: that you guys occupy this fence and you're rooted there all the time. That's why you can't go here or there at any one particular time. That's why you've got to sort of address all sides and hope that people will think this bill is historic.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** It is.

**Mr Marchese:** It is, yes. You've got to stand up and say that because you've got your lines written up. Most of you have your lines written up. It tells you, "It's historic—just say that. Paint a rosy picture so everybody out there will be happy. The people we want most to be happy are people with disabilities. We do not want them to believe this bill is anything but great and historic."

Those are the people they're reaching out to, that they need on their side, because if they don't have them on their side, this bill doesn't go anywhere.

With respect to employers, I don't see employers knocking on our door saying, "We won't be able to deal with this. This is going to kill us. This is going to kill our economy." While some Conservatives are raising this issue, in terms of "We've got to work with employers to address some of their concerns," it's all very polite, you'll notice. I noticed that the member from Simcoe North talked about the fact that some employers may

have some concerns, some financial needs in order to deal with some of the issues presented in this bill, but it was presented in a very modest sort of way. It wasn't really fearful or frightening. It was a rather rosy picture.

I tell you this, if the Conservatives speak of this in terms of, "You know, there might be some challenges. We've got to deal with this. We've got to address them," then this bill hardly goes to the extremes that the Liberals claim. If it was as radical and historic as they say, you'd have the Conservative Party members, through the business voice out there, which they represent rather strongly—they would be here saying, "You've got to oppose this bill and oppose it strongly," and that's what they would be doing. Well, they're not doing that. They are all very gentle supporters of this bill. If they are gentle supporters of this bill, it means the business community is happy, which means this bill is very modest in terms of the approach they take to dealing with these issues.

So I have spoken to some of the 11 principles that were adopted in 1998 and to at least five of them as a way of showing that there are some serious concerns.

We believe this needs a public debate. We support it, indeed, and we will not be obstructing it in any way. We have no interest in obstructing, and we have an interest in making sure it gets passed if this is a priority of the government. What we do want are hearings. This bill cannot pass in this way without hearing from those who have the expertise, from those who have been victims of discrimination for a long, long time. We want to hear from organizations, and from individuals in particular, about how they feel about Bill 118. At the end of the day, based on what they say, we will be guided by them.

This is a modest measure, a modest bill. It would be very difficult for me to oppose it, but we have introduced robust reservations. I have put them on the record, and we will do so when this bill gets into committee. Thank you for your attention.

**The Acting Speaker:** Questions and comments?

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I have just a couple of minutes or so to make a couple of comments. I think there are some important elements. I think to take action immediately upon proclamation is important. I think it's a reference point. It's not proclamation and kind of get around to it. In spite of the long time frame for implementation for all elements, public and private sector engagement in all facets, given its magnitude, will take a considerable amount of time, probably longer, I suspect, at the end of the day than any of us in this Legislature would like to see happen. But nonetheless, there is a certain urgency expressed in the legislation once proclamation occurs.

I have to reflect for a moment on the time it takes on occasion to identify issues and find strategies to fix them. I had the pleasure in 1990 as a mayor to open a new city hall and library complex. After we were in there, we found things within the first six months that rather surprised and shocked us. I'm just going to talk about the physical disability, the mobility issues, as opposed to all the other challenges that people with disabilities face.



We couldn't get in the library with a wheelchair through the front doors effectively, because the doors pulled open. They weren't electrified to slide open, and someone in a wheelchair couldn't possibly manage those doors. You couldn't get in the washrooms, because the washroom doors had been built too small. Around the building you couldn't get on the sidewalk, because in the overall design and finalizing of sidewalk construction—the contractors—there were no provisions for any slopes from the corner of the sidewalk down to the roadway. That was a municipal building with all of these challenges, and those got resolved, but they didn't get resolved on day one; they got resolved over a year or so. That is an example of why it will take some time for the private sector to respond effectively well.

**Mr Dunlop:** I'm pleased to rise again this afternoon to make a few comments. I'm hearing from the member for Trinity-Spadina, who is looking at this in a—I guess I'm a little more positive about the bill right now. I think he maybe has some reservations about the bill at this point, and he may well be right on with this. I'm hoping we can work together, whatever governments are in power over the next 20 years, to try to get this phased in. I think it really is important that we work in a non-partisan manner to make sure this legislation is implemented in a timely manner.

That may mean, as I said earlier, some opportunities to work with some of the grant programs we have even today to enhance them even more. That would be things like the Ontario Trillium Foundation, which has already done some great work out there in some of our community halls and non-profit organizations in terms of making things better in those areas. There may also be some assistance required by the chambers of commerce, or economic development. I don't know what those programs would be right now. I want to make sure that we make sure that for the people who have disabilities, we as a society treat them properly and make sure the access they have is clear and fair.

I know there are going to be some areas when very small businesses are going to have a difficult time, and that's where I think we may need some assistance from the government. Maybe, in this case, even the federal government can support some of the actions of a province that's taking what I would consider to be a leading role in this cause.

**Ms Shelley Martel (Nickel Belt):** It is always a pleasure to hear my colleague from Trinity-Spadina. Let me reinforce what he said, and I guess I want to put it in this context. A couple of years ago there were a number of disabled folks in my community who were in wheelchairs. They staged a bit of a demonstration out in front of one of the local theatres. It was one of the theatres that was being used for the Cinefest that now occurs in our community in September. They were out there making it very clear to the media and to the public generally that they didn't think it was very fair that they couldn't come and access the Cinefest festival because this particular theatre that was being used was not accessible.

1720

What is interesting is that what has changed here is that the theatre has actually closed, so now they don't have to worry about it any more. I raise that because, another 20 years—please. I say to the government members, I just find it hard to define this as a historic day when essentially what we're saying to people is, "It's going to be another 20 years before you can expect to participate fully in the economic and social fabric of Ontario." I've got to tell you, I think 20 years is too long to ask people who have waited for a long time already to wait to be able to participate fully in the social and economic fabric of Ontario.

I think of those folks sitting outside that theatre with their placards who were unable to participate in this event because the theatre was not wheelchair accessible. What are we doing telling them, "Wait another 20 years and maybe another theatre will be accessible"? I hope we have public hearings and I hope that through the public hearings we'll hear from people who will say, "We can do better than 20 years." That's what I really hope is going to happen here.

**Mr Ramal:** I have the pleasure and honour to stand up again and speak about this very important issue. I want to repeat, it is a very historic day for all the people in this province, especially for the people with disabilities.

I was listening to the members from Trinity-Spadina and Nickel Belt when they were talking about and minimizing the power of this bill. I believe it is insulting for the ODA committee, who worked for the last 10 years. We had many of them present here when we introduced second reading of this bill.

I would repeat what David Lepofsky had to say: "Mr McGuinty has made a series of promises and with this bill he's kept them all. He promised he would work with the disability community, the business community and the municipalities to develop the law. He did that.... He said he'd introduce a bill within the first year. He did that.... He said the bill would fix the major problems with the Conservatives' weak bill, and it does."

Time and again our government worked with all the people with respect to the opinions about this bill, and the ODA Committee worked hard for a long time to establish a strong bill alongside our minister, who has a passion about the people with disabilities.

I want to remind you, Mr Speaker, monsieur le Président, que le gouvernement McGuinty estime que chaque Ontarien et Ontarienne devrait pouvoir apprendre, travailler et participer pleinement à la vie de la société.

This is our mission, that every person can have accessibility, that every person can go anywhere without any barrier. This is our goal. This bill speaks to it. We're not saying 20 years to start implementing it. We'll start implementing this bill when everybody has agreed on it and we pass it in this place; then that bill would take place. We're talking about 20 years for it to be fully implemented. That's what I want to say to the public of Ontario.



**The Acting Speaker:** Response by the member from Trinity-Spadina.

**Mr Marchese:** I thank my friends and say that disabled Ontarians have waited a long time for accessibility, and this bill will leave them waiting even longer. It's the Liberal way: You go slowly, at a snail's pace, don't offend anyone, and then claim, "It's historic. This is really, really big." It's the Liberal way to be timid but pretend you're really bold. It's the Liberal way to say, "We're working on this legislation with the people affected, with the partners," rather than saying, "We're too afraid to act."

This is an excuse not to act. This is a failure to act. This is the fear to act. This is all about consulting to death, in my humble view. This is about establishing accessibility standards that can go on and on. It's about talking about the process of the development of those standards, which can go on and on. That's what that is about. If people are happy to engage in this process, great. If they're happy at the end of the day and say, "We're happy to engage in this process, and it might take a long time," that's great. Our duty is to point out the weaknesses of this bill, and they are, in our view, profound.

We want public hearings. In our view, people cannot wait 20 years. We think that a lot of people agree with us out there, and that's why we need to hear from them. We will have the debate in this House. We will take it to committee hearings, and we will go wherever you want, to listen to both organizations and individuals and determine whether this bill is historic or whether it's deficient, whether they can wait 20 years or whether they can't.

**The Acting Speaker:** Further debate?

**Ms Kathleen O. Wynne (Don Valley West):** I find, in this job, that it's not always self-evident, before one enters a debate or thinks about a particular issue in depth, which issues are going to touch the core and which aren't. I realize that this is one that is very—the concern for it runs very deep with me. I'm going to talk a little bit about where that comes from.

First, I want to acknowledge two of my constituents. I don't know if they're watching today, but if they are, then I'm speaking to them: Audrey King and Sharon Dever. They're two of my constituents who really have informed my thinking about this issue. They've been talking to me for many months about this issue. The way they live their lives helps me to understand the issue better.

I think it's very difficult for any of us who aren't dealing with a particular issue, whatever it is, to understand people who are dealing with life issues other than the ones we have to cope with. So I think that one of the struggles for us in this Legislature is to write legislation that actually reflects the needs of the people who need it. The issue of whether there will be public hearings, the issue of our consultation with the sector as we put the standards in place—those are all ways that we have to demonstrate that we are going to do our very best to write a piece of legislation and to refine this piece of legis-

lation so that it meets the needs of the people who are living the realities of people with disabilities, whether those disabilities are visible or invisible.

I think that this whole issue of legislation around people with disabilities is a human struggle, and I think we all have to acknowledge that, of course, the best time to have fixed this would have been years ago. The best time to have planted a tree would have been 40 years ago, because then you'd have a very large tree at this point.

Unfortunately, here we are: 2004. We have to move forward. Some of the accusations that are coming at us from the members across the floor are that we're moving too slowly, that we're not moving quickly enough—

*Interruption.*

**Ms Wynne:** Mr Speaker, I'm just going to sit.

**The Acting Speaker:** We'll recess for about 10 minutes.

*The House recessed from 1728 to 1735.*

**The Acting Speaker:** The Chair recognizes the member from Don Valley West.

**Ms Wynne:** As I was saying, we need right now, in 2004, to move from where we are, to move forward. Bill 118 is An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the act for persons with disabilities. What this act will do is put standards in place. It will develop standards that will allow Ontario to become more accessible, will force Ontario to become more accessible. If we believe in the human rights of all Ontarians, then we must do our part. What Minister Bountrogianni is doing is she is leading this province to be more accessible, leading this province to a more accessible future.

These standards will be set in close co-operation with persons with disabilities, with sector representatives, with other ministries. It will be a large discussion about what those standards should be.

There will be tough penalties for non-compliance. The issue of compliance is the one that has been brought up to me over and over again by people in the sector. It's all very well to have fine words, but if there are no standards, if there is no time frame and if there are no consequences for non-compliance, then the bill has no teeth, the legislation has no teeth.

I want to read from an article by Linda Crabtree. She talks about "Politician Warmed Cockles of My Little Advocate Heart," speaking about Minister Bountrogianni. She's talking about this piece of legislation, and what she says is, "As it stands now, it has teeth—deadlines ... and fines—but it is also fair." So I think it's pretty clear that there is widespread support for this legislation, and, I expect, from all sides of the House.

I want to talk a little bit about my personal interaction with this whole area. Some of my earliest memories come from a time when there was, believe me, no legislation in place that forced anybody to have accessible workplaces or accessible facilities. I grew up in Rich-



mond Hill. My father was a family practitioner, and he practised in a place at one point called the Villa, and it was a senior citizens' facility. In the back of the senior citizens' facility there were a few rooms where young people with severe disabilities were housed. There were no services for them; there were no vans to take them on outings; there were no programs for them.

One day, when my dad was doing his rounds in this institution, he heard some singing from one of the rooms. He came home and talked about this young woman who had muscular dystrophy. Her name was Bev, and she had a lovely voice.

My mom was a professional singer, looking after four kids at home at the time, but she decided that what she was going to do was go into this facility and work with some of these young people who were 17, 18, 19 years old and see if they might want to take some singing lessons, might want to work with her.

What happened was that she and a woman named Jessie Passmore, who was a pianist, developed a group. They were called the Villatones. They travelled around the province. They fought for funding to buy a van so they could go and do radio shows in small towns around the province. It changed their lives that they had some people who were willing to build on some of the talents they had and work with them.

That was a tiny, individual example. There was no systemic support for people who needed the kind of support those young people needed. These were young people who had had diving accidents or who had been born with disabilities, and there just were not services in the community for them. Not only were there not services, but they couldn't go into restaurants, they couldn't go into public buildings and they couldn't go into private businesses, because there was no way in.

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Obviously, we've come a long way from there. We have much more recognition in the community of the needs of people with disabilities, but we've got a long way to go, and that's what this legislation signals, that we've got to put these standards in place, we've got to be clear about what they are, we've got to be clear about what the compliance is, and we've got to put a timeline in place.

I was talking earlier of the concern about moving too slowly. The way the bill has been set up, the first standards would be implemented no later than five years from the creation of the committee that would set the standards, and the standards would be reviewed every five years, or earlier.

I think what is critical for us to understand is that it is necessary to give organizations and give people the time to realistically put the changes in place. For us to say today, "Within five years, everything has to be done and we have to be there," wouldn't be realistic. We would be deluding ourselves. The community would know that it wasn't realistic.

So what we're doing is putting in realistic time frames, and what that does is allow the sector and the people in

the community to be confident that we are serious about this. We're serious about it. We're going to make this happen. So I think, quite the opposite of moving too slowly, we're actually putting a realistic plan in place that's going to give confidence to the people who most need this legislation.

As a school trustee, I spent many hours talking about how we make our schools more accessible, how we move to a place where children could go to the schools in their community without having to be bused somewhere else or having nowhere to go, because there are communities in the province where there isn't anywhere to go. There aren't accessible school buildings.

So we need to make sure that there's access for children in every part of this province to the schools that they need to go to, to the colleges, to the universities. That's a critical piece of this because we have got to educate the whole province, and in order to do that, we've got to make sure that students can get to those institutions of learning.

So I am absolutely proud and pleased to be supporting this piece of legislation. The only way we're going to change our attitudes as a society—and it's all of us, because there's nobody who's free of ableism. We are all, to some degree or another, fearful of—we have a lack of understanding of people who are other than we are. So the only way we're going to change our attitudes is to make sure that we've legislated the standards that we will all then have to accept and work toward.

Then the next generation of children, like my youngest sister, who used to travel with my mom when she was a tiny baby, who travelled with those kids in their wheelchairs and listened to them sing—my younger sister is now working as a special-needs assistant, and she has a different attitude about people with disabilities than I do, because she grew up understanding that people are capable of all sorts of things. It doesn't have to do with whether they're sitting in a wheelchair or whether they can see or whether they can hear; they're capable of all sorts of things.

And so this piece of legislation speaks to our humanity and speaks to our vision of an Ontario that respects the humanity of all individuals.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I just wanted to say on behalf of Mrs Munro, thank you very much for your—it's kind of an unfortunate little trip she made there, but she's fine. I just wanted to say thank you very much to all members of the House for coming to her rescue so quickly there.

I just wanted to follow through on something that the latest speaker just mentioned, and that's the time frame. As we go forward with this legislation, I think it's going to be the time frame that's going to be the most controversial part of this. I kind of agree with the time frame, and I'll tell you why.

Twenty years sounds like it's a long way off, but we all know how fast 20 years rolls around. In order to implement the type of work that will be required on buildings, just the access that people need and all the

different resources they're going to need, I think the time is going to move very quickly in this area.

As we've said earlier, we've come a long way in this province over the last 20 or 30—I'm going to say 30—years to remove barriers. As we proceed over the next 20 years and put the regulations in place, I think it's going to be hard to even achieve the goals of this bill in the 20-year period. I think there are going to be areas where the province is going to have to show a very strong leadership role in providing assistance, in some cases both to the private sector and at public facilities as well.

With that, again, I will be supporting this legislation, although, like Mr Marchese, I'm looking forward to some fairly good committee hearings on this and positive responses from the public.

**Ms Martel:** I'm going to make a couple of comments in response to the comments that were just made. I wish I could say that I am delighted to see the legislation that is before us, and delighted to see us take a step forward in making sure Ontario is barrier-free, but I am not delighted. In fact, I'm pretty distressed about the fact that the best it seems we can do as a provincial jurisdiction is to say to people, "Twenty years from now, Ontario will finally be barrier-free and you will be able to participate fully in the economy and social fabric of the province."

I look at the province and say to myself that you have to think that in the province of Ontario, with the resources that we have, financial and human resources, with the technology that is out there, we should be able to do better than that. There should be no question of our ability to do better than 20 years. I would hope that when you think of the economic and social contributions that can be made by people with disabilities, that employers, retailers and others in the community would be anxious to do better than that, recognizing how they could benefit by making sure that Ontarians with disabilities are able to participate fully in the economic and social life of the province. I've just got to tell you, 20 years is so long.

There's no doubt in my mind that people who have been waiting already a long time are going to be dead before we're done here. And is that very fair? I hope that during the public hearings somebody's going to come forward and say, "In a province as rich as ours, with the human and financial resources that we have, we can do better than that."

**Mr Lou Rinaldi (Northumberland):** It's a pleasure to stand in this House to support this bill. I think, of all the things that we do, when we can do something for the less fortunate in our society, it's always a plus. This is a real plus. We, as fairly able people who sit in this House, the majority of us sometimes take for granted what goes on in everyday life.

A few years ago my daughter's first job was working with an organization in the town of Cobourg that looked after adults with disabilities. It was the first time in my life—in my late life, I should say—that I had the opportunity to be more closely associated with people with disabilities. They give you a whole new meaning. I remember my daughter saying, "We'd like to take these

folks somewhere today, Dad. We couldn't do it because...." or, "We'd like to go there but we can't do it because...." I think what we're doing here, regardless of the time frame, is we're making some headway so that these people can do what you and I or my daughter could do back then.

In the east end of my riding that I serve, in the municipalities of Quinte West and Brighton, I was fortunate to be on council when we established a transit system to serve both municipalities to deal with people with disabilities. I was very delighted that they were part of our gasoline tax, because they're offering public transit to the less fortunate. Every year they have an awareness day. As a politician, or as a member of the community, I've taken part every year. They gave me a whole new meaning on how to work a wheelchair through the downtown of Quinte West. Even these buses that are equipped to be accessible are a challenge.

I am so delighted that we're taking this leadership role to do something that's—

**The Acting Speaker:** Thank you.

**Ms Scott:** It's a pleasure once again to listen to the debate and to rise on this occasion to deal with the act. It is all about access, as the minister said. People with disabilities need to access more of our communities. In rural Ontario it's a special challenge. We have a lot of older buildings, a lot of historic buildings.

I want to mention the community groups that have come together, and I'm sure it's similar in many ridings around. They've come together and a lot of them have applied for those Trillium grants. I was at the Trillium function last night. They've applied for wheelchair accessibility. The Lindsay library, for example, applied for a Trillium grant and received money so they could make it wheelchair-accessible. A lot of the Legions are doing similar things. So I think it's super that the Trillium program and the communities are recognizing the needs that people with disabilities have in our ridings.

I think we've come a long way. I can remember when a lot of offices, even elected members' offices, weren't accessible. It's been good that public pressure has been out there and that they have worked, especially the politicians, to make them more wheelchair-accessible.

As I mentioned before, I have family members who are deaf, and the devices they use in order to work the telephones, the TVs—I'm sure we're all familiar with the TV devices that have the written word. The age of the computer has really assisted them. You don't have to talk; you can write on the computer. People don't know you have a handicap. It's a wonderful evolution for them.

I know Cam Jackson has worked really hard previously in the government and is going to be welcomed here in his initial speech next week as we have further debate. So I'll look forward to all the proposals and speeches on this debate.

**The Acting Speaker:** The Chair recognizes in response the member for Don Valley West.

**Ms Wynne:** I'm glad to hear from the member for Simcoe North that Ms Munro from York North is OK.



I think the comments that have been made by the member for Nickel Belt, the member for Simcoe North, the member for Northumberland and the member for Haliburton-Victoria-Brock illustrate that every one of us in this House has experiences to which we can relate when we're thinking about accessibility and how important it is for our communities. That doesn't mean we don't struggle with it. It doesn't mean that we don't see examples everywhere we go of inaccessibility and try to work with our communities to make our world more accessible. As MPPs, that's one of the things we do. We have people coming in to talk to us all the time who can't access in one way or another either the services or the facilities in the community. So this legislation touches us all.

When this bill goes to committee, there will be the opportunity for people to speak to it, and we will continue to listen to people from around the province on refinements and on their concerns. But at the core, I believe we've got it right.

I know the member for Nickel Belt feels that we should be moving faster, there should be more, we can do better. You know what? At some level I would agree with her, but I would agree with her on all sorts of files in government. Of course we could do better. If we had all the resources in the world, we could do better. If the world were a different place, we could do better. Given what we've got, given the resources available to us, given our history, given the state of our buildings, this is what we must do. We must put the standards in place. We must make sure those standards meet the needs of the community and we must put compliance mechanisms in place. That's what this legislation does. It's the rational, reasonable thing to do.

**The Acting Speaker:** Thank you. This House, standing close to 6 pm, stands adjourned until 1:30 pm on Monday.

*The House adjourned at 1755.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Speaker / Président: Hon / L'hon Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
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Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)
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Haliburton-Victoria-Brock	Scott, Laurie (PC)	Northumberland	Rinaldi, Lou (L)
Halton	Chudleigh, Ted (PC)	Oak Ridges	Klees, Frank (PC)



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Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Bisson, Gilles (ND)
Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard (L)</b> Minister of Education / ministre de l'Éducation	Timmins-James Bay / Timmins-Baie James	<b>Smitherman, Hon / L'hon George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Churley, Marilyn (ND)</b> <b>Marchese, Rosario (ND)</b>
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Sault Ste Marie	Oraziotti, David (L)	Windsor West / Windsor-Ouest	<b>Kwinter, Hon / L'hon Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York North / York-Nord	Sergio, Mario (L)
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Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin (L)</b> Speaker / Président	York West / York-Ouest	
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	<b>Bradley, Hon / L'hon James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 22 November 2004

Lundi 22 novembre 2004

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 22 November 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 22 novembre 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### TORONTO ARGONAUTS

**Mr John O'Toole (Durham):** It's a pleasure to rise in the House today to salute our heroes, the Toronto Argonauts, who yesterday defied all the odds to become the champions of the Canadian Football League in the 92nd Grey Cup, played in Ottawa. Last night in a packed Frank Clair Stadium, 51,242 fans watched as the timeless Damon Allen led the Toronto Argonauts to their first Grey Cup in seven years, winning 27-19 over the BC Lions. An estimated five million Canadians watched the game on television. The win was also historic in that Argos head coach Michael "Pinball" Clemons is the first black coach to ever lead a CFL team to a championship.

Closer to my riding, starting Argo wide receiver Andre Talbot, who attended Paul Dwyer High School, and his family, who still reside in Oshawa, had a strong game pride. He represents Durham region proudly. Congratulations are also in order to co-owners David Cynamon and Howard Sokolowski, who have done a remarkable job over the last year to improve the fortunes once again of a proud football team. As my daughter-in-law, Rebecca O'Toole, said—by the way, my daughter-in-law is manager of corporate relations—this season has been a Cinderella story. I might also add that our leader, John Tory, as a former CFL commissioner, shares in the pride of the comeback of the CFL.

I'd also like to note that our Premier has finally picked a winner and will be the recipient of grade A British Columbia beef, salmon and lamb. This truly is a momentous day for our Premier. However, the irony of Mr McGuinty's victory is not lost on those of us from the GTA who realize that he only had to pick a team from Toronto to be a winner.

**Mrs Donna H. Cansfield (Etobicoke Centre):** I too, on behalf of all the members of this House, join the member from Durham to say congratulations to the winners of this year's Grey Cup, the Toronto Argonauts. This is the fourth Grey Cup in 14 years, and it was won in spectacular fashion against the BC Lions last night in Ottawa. I was one of thousands of people who watched that game. I know there were over 51,000 folks in the stadium, but there were a lot of folks watching the game, sitting at home. Some of them should have been studying for exams but were watching the game anyway.

It was an incredible score, a rousing 27-17. Yay, Argonauts. It was just fantastic. So warm congratulations to the game MVP, Damon Allen, for his stellar quarterbacking, and also to head coach "Pinball" Clemons. I don't know if you've ever heard him speak. He's an incredible speaker, often to young people, and gives just a rousing speech to encourage young people to go ahead in the face of adversity and win, which is exactly what he did.

There is no question that the Premier will have to share some of that fine BC cuisine with caucus, I would suggest, since it's all of us who were together on behalf of the Toronto Argonauts. Congratulations again.

#### OMA AGREEMENT

**Mr Garfield Dunlop (Simcoe North):** I rise today to challenge the McGuinty government to start showing results when it comes to improving access to health care for all Ontarians.

During the election, the Premier asked people to, and I quote, "Choose change. Choose the health care you need." But what has the Premier delivered instead? He's failed Ontarians by introducing a health tax. He's failed Ontarians by delisting chiropractic, physiotherapy and optometry services. His latest health care failure is his government's inability to reach an agreement with the province's doctors. This is not what Ontarians expected from the man who crowned himself the king of health care during the last provincial election.

The McGuinty government lost significant ground on health care this weekend when their \$6.9-billion, four-year offer was rejected by nearly 60% of Ontario's doctors. Without an agreement in place, the Premier will find it very difficult to move forward on his so-called health care agenda; the "transformation" is what he calls it. An air of conflict will develop, forcing the Premier's focus away from keeping his health care promises—as if anybody would believe he'd actually keep a promise now.

So I urge the Premier and his health minister to clean up their latest health care mess by sitting down immediately with Ontario's doctors to hammer out an agreement that works for everyone. I think the citizens of this province are sick of paying more and getting less.

#### AFFORDABLE HOUSING

**Mr Michael Prue (Beaches-East York):** Today is National Housing Day, and today in cities and towns



across this country, people are standing up to voice their concerns about the lack of affordable housing. In fact, you don't have to go very much farther than the footsteps of Queen's Park here to see a couple of hundred people protesting the lack of government action and the fact that so many of our citizens are forced to sleep on the mean streets every night.

In communities across Ontario, citizens are calling upon this government to keep their promise to address the crisis of affordable housing in Ontario. Housing and homelessness issues go beyond those living on the streets, and housing advocates across the country have brought this to your attention. Over 158,000 families are on waiting lists for affordable housing in Ontario; that number has gone up under your mandate. Families are on long waiting lists and have to wait one to five years, in most circumstances. One out of every five persons is facing the frightening prospect of losing their home because of high rental costs.

It's time for the government to do something. There's a lot of talk about the deficit and about reduction on the government side of the House. Let's add the deplorable deficit of affordable housing to that list and make this the need and the priority that you should be embracing.

#### GILLER PRIZE

**Mrs Carol Mitchell (Huron-Bruce):** I'm very pleased to rise today to congratulate Alice Munro, who is regarded as one of Canada's best authors of short stories.

On November 11, she received for the second time the coveted Giller Prize, for her short story collection *Runaway*. The Giller award is given to outstanding authors who write Canadian fiction. Alice Munro is a world-famous author who happens to be from Ontario and lives in my riding. Ms Munro is only the second person to win the Giller Prize twice, and this short story collection has also been nominated for a Governor General's Award, Canada's highest literary prize.

Ms Munro often writes stories which reflect rural southwestern Ontario, and it is truly wonderful to have such an excellent author reflect the rural way of life in her stories.

Once again, let me congratulate Alice Munro on being such a successful author and a strong voice for Canadian literature.

1340

#### OMA AGREEMENT

**Mr Jim Wilson (Simcoe-Grey):** The competence of the McGuinty government is once again in doubt as members of the Ontario Medical Association voted to reject an offer proposed by this untrustworthy Liberal government. Our doctors have articulated an understandable vote of non-confidence in the McGuinty government's health care plan which has seen waiting lists soar and patients pay more as the government moves to privatize essential health services.

The majority of family physicians, older long-practising doctors, medical specialists and an overall 60% of Ontario's physicians rejected the government's OMA tentative agreement. Clearly, Ontario's doctors felt that this deal was bad for them and bad for the patients they serve.

With over a million Ontarians without a family physician, this vote of non-confidence by our reliable and accomplished doctors has to be seen as a defeat and a complete rejection of the Liberal health care plan. This government is making incompetent choices that are hampering their ability to attract and retain doctors. The defeat of the OMA agreement further proves that Premier McGuinty and Minister Smitherman are out of touch with the needs of our front-line health workers.

I congratulate our doctors for recognizing how hollow the Liberal health policy actually is and for remaining committed to providing Ontarians with the best access to health care and the best possible care. This government would be well advised to observe the concerns of our doctors and act quickly to ensure that Ontario continues to be an attractive place to practise medicine.

Bulldog Smitherman has been sent to the pound, where he belongs. You can't trust this government to deal fairly with Ontario's doctors, and they've sent this government a very strong message in that regard.

#### PIT BULLS

**Ms Judy Marsales (Hamilton West):** I have received many impassioned e-mails from various members of the general public regarding the pit bull issue. However, I am very, very concerned about some recent attacks, and I think these e-mails fly in the face of the reality.

Last week, we heard about a 12-year-old boy in Cambridge who was delivering newspapers with his mother. Both were victims of a savage and unprovoked attack. The boy's face was mauled, and his lip was almost bitten off and left dangling. The mother needed stitches and staples, and the boy, reconstructive surgery.

Today, we learned of another savage and unprovoked attack over the weekend in Hamilton. A nine-year-old boy was playing with the family dog, a pit bull, when it snapped and, in the words of the boy's mother, "went psycho." The boy was bitten on his ear, thigh, shoulder and buttocks and needed stitches. The boy's mother said it best when she said, "I've been defending pit bulls tooth and nail and saying it's the owner's fault, but not any more."

These are not isolated incidents. It seems that every week there's another attack. The solution is clear and it's before this House: Bill 132 would ban pit bulls. Over time, it would mean no more pit bulls and no more attacks like this one in Hamilton. Both of these attacks involve dogs covered by the definition proposed in Bill 132.

It's never been easy to make difficult decisions, but that's the essence of good leadership. I would ask the opposition to get on the side of these victims, and I

would ask them to get on the side of the community and community safety. And I would ask you to support Bill 132.

### HEALTH CARE

**Mr David Oraziotti (Sault Ste Marie):** Our government has made record investments in numerous areas of health care in Ontario. We are working to improve our health care system so that it can better respond to the needs of Ontarians. That is why we're investing in nurses, home care, long-term care, public health and mental health. That is why we're moving on disease prevention and internationally trained medical graduates.

Let's not overlook what leaders in our health care community are saying. The executive director of the Registered Nurses Association of Ontario, Doris Grinspun, on funding for 1,000 nurses: "It's given them hope. I believe we are going to become the magnet province in this country."

The CEO of the Ontario Community Support Association, Joe McReynolds: "The government is to be applauded for not accepting the status quo in home care and for actively searching to see how clients can be better served in their local communities."

The executive director of the Ontario Federation of Community Mental Health and Addiction Programs, David Kelly: "We're ... excited that after 12 years the Minister of Health and the government of Ontario have recognized the need to support addiction and mental health programs ... in the community. It's fantastic."

The president of the Association of International Physicians and Surgeons, Uday Shankardass: "The establishment of IMG Ontario represents a significant step toward creating more opportunities for Ontario's internationally trained physicians to integrate into the health care system."

It's clear that, unlike the past two governments, our government is making significant progress in transforming our health care system to better serve Ontarians.

### DANIEL IANNUZZI

**Mr Mike Colle (Eglinton-Lawrence):** It is with great sadness that I rise today to mark the passing of Canada's multicultural champion and media pioneer, Danny Iannuzzi.

Born in Montreal, Daniel Andrea Iannuzzi lived in Toronto for the last 50 years and died suddenly on Saturday, in Rome.

Mr Iannuzzi was the founder of the *Corriere Canadese*, the Canadian-Italian daily newspaper that just celebrated its 50th anniversary. He was the founder of the world's foremost multilingual television station, CFMT, in 1979.

Mr Iannuzzi, a third-generation Canadian, was a staunch and fierce voice for Toronto's and Canada's Italian community, but his contributions were not limited to the Italian community. He was a pioneer in multicultural communications. He was relentless in his efforts

to promote Canada, its people and its accomplishments. As his motto for his newspaper said, "Fiercely Canadian, proudly Italian."

His efforts to help bring Canadians of all walks of life together has often been celebrated, and he was honoured by being inducted into the Order of Canada in 1989. He became a member of the Order of Canada in 1990.

Dan, you accomplished so much. You helped make Canada a better place for us all, no matter what our country of origin. To your family, on behalf of the Premier and the entire Liberal caucus and all the members of the Legislature, our sympathies are with you. With a heavy heart, we say, "Arrivederci, Dan."

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON ESTIMATES

**The Speaker (Hon Alvin Curling):** Standing order 62(a) provides that "the standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates for certain ministries on Thursday, November 18, 2004, as required by the standing orders of this House, pursuant to standing order 62(b), the estimates before the committee of the Ministry of Transportation, the Ministry of Agriculture and Food, the Ministry of the Environment, the Ministry of Community and Social Services, the Ministry of Economic Development and Trade, and the Ministry of Northern Development and Mines are deemed to be passed by the committee and are deemed to be reported to and received by the House.

## INTRODUCTION OF BILLS

### BUDGET MEASURES ACT (FALL), 2004

#### LOI DE 2004 SUR LES MESURES BUDGÉTAIRES (AUTOMNE)

Mr Sorbara moved first reading of the following bill:

Bill 149, An Act to implement 2004 Budget measures, enact the Northern Ontario Grow Bonds Corporation Act, 2004 and amend various Acts / *Projet de loi 149, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2004, édictant la Loi de 2004 sur la Société d'émission d'obligations de développement du Nord de l'Ontario et modifiant diverses lois.*

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Sorbara?

**Hon Greg Sorbara (Minister of Finance):** During ministers' statements.



## MOTIONS

## HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm till 9:30 pm on Monday, November 22, 2004, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those against, please say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** Mr Duncan has moved government notice of motion number 228. All those in favour, please rise one at a time.

## Ayes

Arthurs, Wayne	Flynn, Kevin Daniel	Racco, Mario G.
Baird, John R.	Fonseca, Peter	Ramal, Khalil
Bartolucci, Rick	Hardeman, Ernie	Ramsay, David
Bentley, Christopher	Jackson, Cameron	Rinaldi, Lou
Berardinetti, Lorenzo	Jeffrey, Linda	Ruprecht, Tony
Bountrogianni, Marie	Kwinter, Monte	Sandals, Liz
Broten, Laurel C.	Leal, Jeff	Scott, Laurie
Brownell, Jim	Marsales, Judy	Sergio, Mario
Bryant, Michael	Martiniuk, Gerry	Smitherman, George
Caplan, David	Matthews, Deborah	Sorbara, Greg
Chambers, Mary Anne V.	Mauro, Bill	Takhar, Harinder S.
Chudleigh, Ted	McMeekin, Ted	Tascona, Joseph N.
Colle, Mike	McNeely, Phil	Van Bommel, Maria
Cordiano, Joseph	Mitchell, Carol	Watson, Jim
Crozier, Bruce	O'Toole, John	Wilkinson, John
Delaney, Bob	Orazietti, David	Wilson, Jim
Di Cocco, Caroline	Ouellette, Jerry J.	Witmer, Elizabeth
Dombrowsky, Leona	Peterson, Tim	Wong, Tony C.
Duncan, Dwight	Phillips, Gerry	Wynne, Kathleen O.
Dunlop, Garfield	Pupatello, Sandra	Zimmer, David
Flaherty, Jim	Qaadri, Shafiq	

**The Speaker:** All those against, please rise.

## Nays

Bisson, Gilles	Hampton, Howard	Marchese, Rosario
Churley, Marilyn	Kormos, Peter	Prue, Michael

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 62; the nays are 6.

**The Speaker:** I declare the motion carried.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## FALL BUDGET

## BUDGET DE L'AUTOMNE

**Hon Greg Sorbara (Minister of Finance):** A few moments ago I introduced our government's fall budget

bill. That bill is designed to implement a number of key initiatives in our government's first budget.

As you will recall, our budget set out a comprehensive plan to transform health care, education, the economy and the business of government itself. We committed ourselves then, and we remain committed today, to a new era of openness and transparency in government, to renewed investment in essential public services, to stimulate a new generation of economic growth, and to build a stronger, healthier and more prosperous economy in this great province.

Nous sommes toujours engagés à établir une nouvelle ère d'ouverture et de transparence au sein du gouvernement, à effectuer des investissements renouvelés dans les services publics essentiels, à stimuler une nouvelle génération de croissance économique, et à bâtir une économie plus forte dans cette province extraordinaire.

## 1400

Earlier this month, I presented our fall economic statement and fiscal review. There were three main themes to the statement: first, that our plan to restore this province to financial health is right on track; second, that the Ontario economy is now gaining strength; and third, that the need for restraint is essential if we are to modernize public services, and indeed the economy itself.

This fall budget bill completes the legislative work to implement our plan to promote prosperity and improve public services. It provides for a number of investments in economic growth, including the phase-out of the capital tax, beginning on January 1, 2005. I should tell you that by 2008, more than 13,000 medium-sized corporations will no longer pay capital tax, and the tax would be fully eliminated by January 1, 2012.

We're investing in innovation. We're proposing to create the Ontario commercialization investment funds program. That program would provide some \$36 million in assistance to leverage up to \$120 million in new pools of seed capital for spinoff technology companies.

We're investing in our workforce. In the budget, I announced our plan to transform the Ontario apprenticeship system. We're proposing now to invest \$11.7 million annually by 2006-07 to expand the number of young people registering in apprenticeships to 26,000. Today, I am pleased to introduce the new apprenticeship training tax credit. That credit is going to encourage employers to hire and train apprentices in certain skilled trades. It would pay up to \$5,000 of an eligible apprentice's salary each year for three years. In short, that means good jobs and a better future for our young people.

We're investing in the north. The fall budget bill provides for the creation of the Northern Ontario Grow Bonds Corp. If passed, we will soon see emerging entrepreneurs from the north get access to the capital they need through low-interest loans that they can use to create more jobs in the north.

We're investing in seniors. This bill proposes the first increase to the Ontario property tax credit for seniors

since it was created 12 years ago, an increase of \$125, or 25%.

Ce projet de loi propose la première augmentation du crédit d'impôt foncier pour les personnes âgées de l'Ontario depuis sa création il y a 12 ans, soit une augmentation de 125 \$ ou, en d'autres mots, 25 %.

That, by the way, is \$125 more in the pockets of low- and middle-income seniors this year and every year. An estimated 685,000 seniors would benefit from the program, including approximately 33,000 seniors who do not currently benefit from that property tax credit program.

Finally, we are investing in the modernization of government itself. A couple of weeks ago, I announced that we would be working with the federal government to design a single federal tax collection system for both Ontario and federal corporate taxes. Today, I am proposing further modernization efforts with the elimination of some nine tax incentives.

For many years, we've seen a variety of tax credits and incentives designed to support various groups, individuals or areas of the province. Their goals are respectable. But too many of these tax credits are no longer serving their intended purpose, they have little uptake, or are not in line with our current priorities. Eliminating these tax credits will save the province some \$85 million over the course of the next four years.

Four of them—the graduate transitions tax credit, the workplace child care tax incentive, the workplace accessibility tax incentive, and the education technology tax incentive—together returned only \$1 million to Ontario businesses. In fact, when you do the accounting, it costs us almost as much to administer these tax credits as it puts funds in the pockets of those businesses.

In other words, the usefulness of these credits was wildly exaggerated by our predecessors, and we have better ways of supporting these goals. For example, while we intend to eliminate the graduate transitions tax credit, we're proposing to enhance the Ontario commercialization investment funds program. In other words, instead of paying companies to hire recent graduates, we'll be using the brainpower of those graduates to help create spin-off technology companies.

I want to tell you that underlying all of these initiatives will be a single, unifying commitment: our plan to build a stronger, healthier economy.

The fall budget bill represents a significant milestone toward achieving that plan. It's a long bill, admittedly. It's the first fall budget bill in two years. It has a number of technical measures to improve the efficiency and clarity of our tax system. I believe that every government should engage in that kind of renewal and clarification.

In fact, the bill has some 31 such measures in it that were left over from the previous administration because they were not able to pass their last budget bill. I want to assure the members of this House that we will be working with them to enhance everyone's understanding of all of the provisions of this bill. I would ask members of the House to give the bill due consideration and, when

it comes time, to cast a vote in favour of restoring Ontario's financial health and in favour of a much stronger economy.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr Jim Flaherty (Whitby-Ajax):** The minister says at the end of his statement, "We will work with members ... to enhance their understanding of its many provisions." This is what he's talking about. This is the bill that he just introduced in this Legislature. My staff called his office about an hour and a half ago and asked for the decency of a review of the bill in the last hour and a half. We were told, "Oh, you know how the game is played." That is, you'll see it when you come into the Legislature. This is the openness, the transparency, the arrogance of this group opposite. This is the way they treat members of the Legislative Assembly.

He's right about one thing: It's a long bill. He said that it's a long bill; it has 31 measures in it. We'll have more to say about those measures as we go forward.

It is a serious matter. The economy of Ontario is a serious matter. This minister, this government, has now had a fall economic statement last year, a budget in the spring of this year, and another economic statement in the fall of this year. What do we hear? We hear that there is a plan. We look for the plan. Where is the fiscal and economic plan for the province of Ontario?

1410

**Hon Mr Sorbara:** Read the budget.

**Mr Flaherty:** Oh, I read the budget. The Minister of Finance says, "Read the budget." He says he's going to review programs, including the LCBO—read your budget, Minister—on page 27. We haven't seen it yet. Where is the review? Where is the plan? Where are the appointments? When are we going to see this review happen?

We're already in November 2004. You've been the government for 14 months. What have they done during the 14 months? Increased taxes by \$7 billion, the largest tax hike in the history of the province of Ontario. What is the result? He says that the economy is strengthening. Retail sales tax is down by more than \$150 million in his own fall economic statement. A strengthening economy: lower house sales; new housing starts are down. The Royal Bank says that new housing starts will be down 12% next year. This is what the Minister of Finance is proud of.

The people of Ontario do need a plan. They need a plan with respect to health expenses, a plan with respect to education expenses, a plan with respect to social services. But we don't see the plan. We hear platitudes, but we don't see the plan.

In health care, which takes up almost half the operating side of the budget, what do we see? We see a failed agreement with the physicians of Ontario. We see confrontation with the hospitals and the volunteers who serve on the boards of those hospitals across the province. We see conflict. That's what we see in health care in Ontario. We also see fewer services for the people of Ontario. Pay more, get less in health care after 14



months of this Minister of Finance, this Minister of Health, this Premier in Ontario.

In education, what do we see? We see a proposed hard cap of 20 students per class through grade 3—wasteful. We need literacy. We need numeracy. We need enhanced computer skills in Ontario. Where is the plan to accomplish what the parents of Ontario want?

In social services, what do we see? We see a decision in the Supreme Court on Friday saying that it's up to the politicians to address the very serious issue of our children with autism. Do we see anything happening here, any plan there? No.

There's failure at every important level of government, and those three—health, education and social services—are where the big part of the budget is. The Minister of Finance must know that. But what does he do? Of 31 proposed measures, none, that I can tell—I've only been able to look at this for about 10 minutes—deal with those fundamental issues to the people of Ontario. It would be something worth getting angry about were it not so sad, were it not such a letdown. The broken promises and then the incompetence, the failure to address the needs of the people of Ontario—these are very serious matters.

What about the border issues? Nothing has been done to help us at Fort Erie, Windsor and Niagara. What about the housing issues? What about our infrastructure? We must have infrastructure improvements if the economy in Ontario is to grow. Surely, that's part of this plan in the budget that the minister talks about. But there's no meat on the bones. It's just talk. It's just platitudes. The people of Ontario need more.

**The Speaker:** Before I ask for responses from the third party, I'd ask the government side to be a little bit more co-operative and let me listen to the third party's response.

**Mr Michael Prue (Beaches-East York):** I walked in here today and saw a little package on my desk, and I thought, "There must be a statement about to be made." It was the first that I had heard of it. So I went into the backroom and asked, "Do you have the full compendium of the bill, with all of the amendments?" This is what they handed me. So I've listened to the minister now for a few minutes, and I guess I'm going to have to respond. I'm a pretty quick study, I think.

I opened it up to a couple of the 35 or so things that are being changed. The first one that grabbed my attention was section 32.

This is a real beauty for anybody who thinks that your property is your own property. Section 32 says that the province of Ontario can now seize people's property from the Province of Ontario Savings Office under the privatization act of 2002. What this says is that if you have a safety deposit box that has now gone to Desmarais, that can be seized by the government if it is deemed to be inactive, and the contents of unclaimed safety deposit boxes from the Province of Ontario Savings Office can go directly to general revenue of the province. Talk about a cash grab. This is the most blatant

tax grab I have ever seen. Someone who does not, perhaps due to old age or infirmity or being outside of the country, even understand that the Province of Ontario Savings Office has been sold off and is now part of Desmarais is about to lose the entire contents of their safety deposit box to the Ontario government. That's just one section.

I had a chance to read a couple of others while I was listening to the minister, and I tried to listen to his speech. Here's another beauty: He's going to eliminate four what he calls tax incentives. The first one he wants to eliminate is the workplace child care tax incentive. This is the government that ran on a platform of having thousands and tens of thousands more child care centres. Instead of giving incentives for workplaces to have child care centres in them, which is very progressive, they take away the very money that is intended to do it; they do away with the program. Now, I know the amount was pretty small, but it could have been made bigger. That was the alternative: to make it better and keep the program in place. Instead, you get rid of the program on something you ran on in the last election.

The same thing is true of the workplace accessibility tax incentive. These are people who want to build and put in platforms so people in wheelchairs can get to work, who want to put in various devices so that the blind are able to read. This is an opportunity for people who are hearing-impaired to actually be able to work. This is an opportunity for progressive employers to do something about it. Now, I know the money is small, but what you chose to do was to do away with this instead of augmenting it. I sat here and I listened to member after member talk about the Ontarians with Disabilities Act and how that was going to help over 25 years, but here's something that can help right now, and it's being done away with. I can't believe you're doing this.

I went on to read some more. There are 31 tax measures which were left over from the previous government, and you say this; you blatantly say it. You condemn the Conservatives, but then you say there were 31 such measures in it that were left over from the previous government because they failed to pass their last budget bill. So instead of them acting like Tories, you act like Tories, because what you've done is you've adopted the Magna budget. You've adopted the Magna budget, right down to the very point. I stood in this Legislature, in this House, four times in the last several weeks—

*Interjections.*

**The Speaker (Hon Alvin Curling):** The member from Simcoe North.

**Mr Prue:** —documenting what is happening to a family in eastern Ontario, where they applied for a program to outfit their van for their disabled child. They did that, and I looked in here. You know, the government waffled all over and was deciding whether the computer was wrong or the program was wrong. Well, I want to tell you—

**Ms Marilyn Churley (Toronto-Danforth):** They didn't put it back in?

**Mr Prue:** No, they didn't put it back in. It's gone for good.

That's all I could find in 15 minutes, but I'll tell you, we're going to read this. There has to be a lot more horror in this bill than I've been able to find in five minutes.

## DEFERRED VOTES

### AUDIT STATUTE LAW AMENDMENT ACT, 2004

### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LA VÉRIFICATION DES COMPTES PUBLICS

Deferred vote on the motion for third reading of Bill 18, An Act respecting the Provincial Auditor / Projet de loi 18, Loi concernant le vérificateur provincial.

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1420 to 1425.*

**The Speaker:** Mr Sorbara has moved third reading of Bill 18. All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Fonseca, Peter	Pupatello, Sandra
Baird, John R.	Hardeman, Ernie	Qaadri, Shafiq
Bartolucci, Rick	Hudak, Tim	Racco, Mario G.
Bentley, Christopher	Jackson, Cameron	Ramal, Khalil
Berardinetti, Lorenzo	Jeffrey, Linda	Ramsay, David
Bisson, Gilles	Kennedy, Gerard	Rinaldi, Lou
Bountrogiani, Marie	Kormos, Peter	Ruprecht, Tony
Broten, Laurel C.	Kwinter, Monte	Sandals, Liz
Brownell, Jim	Leal, Jeff	Scott, Laurie
Bryant, Michael	Marchese, Rosario	Sergio, Mario
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Caplan, David	Martiniuk, Gerry	Smitherman, George
Chambers, Mary Anne V.	Matthews, Deborah	Sorbara, Gregory S.
Chudleigh, Ted	Mauro, Bill	Takhar, Harinder S.
Churley, Marilyn	McGuinty, Dalton	Tascona, Joseph N.
Colle, Mike	McMeekin, Ted	Van Bommel, Maria
Cordiano, Joseph	McNeely, Phil	Watson, Jim
Crozier, Bruce	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wilson, Jim
Di Cocco, Caroline	O'Toole, John	Witmer, Elizabeth
Dombrowsky, Leona	Oraziotti, David	Wong, Tony C.
Duncan, Dwight	Ouellette, Jerry J.	Wynne, Kathleen O.
Dunlop, Garfield	Peterson, Tim	Zimmer, David
Flaherty, Jim	Phillips, Gerry	
Flynn, Kevin Daniel	Prue, Michael	

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 73; the nays are 0.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Interjections.*

**The Speaker:** Order. I'd like to hear the point of order.

**Mr John O'Toole (Durham):** Mr Speaker, on a point of order: I would seek unanimous consent to name the bill the Bart Maves bill.

**The Speaker:** Do we have unanimous consent? I heard a no.

## ORAL QUESTIONS

### OMA AGREEMENT

**Mr John R. Baird (Nepean-Carleton):** My question today is to the Minister of Health. It concerns the competence of his government, and it also concerns the abject failure of his understanding of and his relationship with Ontario's physicians. The overwhelming rejection of your health deal with Ontario doctors is a huge vote of non-confidence in you and in the McGuinty Liberals. The Liberal plan has been soundly rejected by the people whom Ontario families trust: our local physicians. Your health scheme is in ruins. Minister, will you now table your plan B in this House so that the people of Ontario can regain some amount of confidence in your ability to manage your department?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I think the honourable member, instead of asking a question like that, should turn around and speak to the gentleman who sits behind him. What he'll find is a very quick lesson in history. The lesson in history that he would find is that doctors voted 75% against the first agreement that they came to a conclusion on with their government.

The fact remains that we're disappointed that the nine long months of negotiations that resulted in a unanimous agreement with the Ontario Medical Association bargaining team did not result in favour this past weekend as the results came forward. But our government, on behalf of Ontarians, remains very committed to the principles we fought for in that agreement: to drive more doctors back to underserved communities, to address the critical wait-time priorities that we have worked to do, and for the kind of comprehensive care that can assist people with chronic diseases to manage those diseases. We'll continue to fight for those principles in any arrangement.

**Mr Baird:** I say to the minister, the last time physicians in Ontario voted on such an agreement brought forward by that woman, they got 66% to vote in favour, so I wouldn't be too smug.

This is less a question of how our doctors will be paid and more a question of whether doctors can trust you and the McGuinty government. It's a question of trust and a question of credibility.

1430

Your motive, in attempting to back-end-load your secretive deal, was clear. You wanted to be able to brag and bully our nurses and health care workers into low-wage settlements at the same time as you were making a back-end-loaded deal with our physicians, with some



doctors getting as much as 36%. When you told Ontario doctors that the cheque was in the mail next year, they didn't believe you because they don't trust you.

Now that you've been caught saying one thing to our nurses and another thing to our doctors, would you now admit that honesty would have been the best policy?

**Hon Mr Smitherman:** What is an important message to send to Ontarians is that this gentleman is not a voice for Ontario's doctors. Ontario's doctors were at their posts on Friday, they were at their posts on Saturday and Sunday, and they're at their posts today, doing the hard work that they do on behalf of Ontarians, which we have a considerable degree of respect for, evidenced by the fact that we put significant resources on the table to address the nature of that work.

Our government's agenda with respect to health care is a comprehensive one. We're moving forward on a considerable number of fronts: reform to long-term care and more resources for community care in the form of home care. Primary care reform is an essential element of that, and we will continue to work with Ontario's doctors and others who are interested in reforming the nature of practice to address the realities. The reality, clearly, is that the status quo is not the acceptable circumstance, although it's what they campaigned for, and we're working hard to address it.

**Mr Baird:** Ontario's physicians don't need anyone on the opposition side to speak for them; they've spoken very loudly and very clearly about your competence and your government's trustworthiness.

The worst thing for working families in Ontario about the overwhelming rejection of this deal is that it shows just how out of touch you and your government are about the reality of health care on the front lines. We desperately need to train and attract new physicians to Ontario. Far too many patients and their families lack physicians, but your failed scheme clearly failed to recognize this reality. It's clear that you don't understand that one in 10 doctors in Ontario is over the age of 65. Minister, one in six doctors is facing retirement imminently, and your failed scheme failed to recognize the reality of their practice in Ontario.

Minister, don't you think you owe experienced, well-trained physicians, who have given so much to this province, an apology for your failure to acknowledge their reality in this scheme?

**Hon Mr Smitherman:** It sounds passing strange that the honourable member, who was part of a government that oversaw the growth in the number of communities in the province of Ontario underserved for physicians growing from 62 to 133 on their watch, should lecture us about training and attraction.

The reality is that as a result of our government's funding initiatives, the Northern Ontario Medical School will see 56 students go into classes next September. Incredibly, on our watch in just one short year we have managed to triple the number of spots for international medical graduate training to drive doctors into communities.

*Interjections.*

**The Speaker (Hon Alvin Curling):** The member from Simcoe Grey and the member from Durham, could you just come to order and stop shouting across the hall.

New question.

**Mr Baird:** To the same minister: I say directly to the minister, your review of history from the last millennium in Ontario isn't going to help one physician or one patient who desperately needs a family doctor in the province of Ontario.

Minister, I don't think it was, at the end of the day, a question of the bottom line in financial terms that caused your deal to crash and burn so badly this past weekend. Do you know what it was, Minister? It was the very professionalism of our physicians in Ontario that was an obstacle to this agreement.

Even the OMA has formally acknowledged what many physicians have already said publicly: that the language surrounding your secret side deal aimed at reducing prescription drugs for the frail elderly, for the disabled and for poor Ontarians was wrong, unethical and bad health care policy. Will you stand in your place and say that this scheme to go after our most vulnerable was wrong, and will you say that it will be dead on arrival when you rejoin the bargaining table with our physicians?

**Hon Mr Smitherman:** Here again, the honourable member doesn't take advantage of resources that are so close to him. If he would dare to speak to his seatmate, he'd find that the honourable member beside him is the one who first made the claim that Ontario's seniors in particular are the most overmedicated to be found anywhere in the universe.

In the preface to his question, the honourable member said that there's nothing in this agreement to address the realities for local communities. Why is it then that rural doctors voted 70% in favour of this agreement, and that 94% of medical students voted in favour of this agreement? As a government, we are working harder than that government did in providing more results in addressing the critical shortages of doctors. Evidence is there. International medical graduates—when we came to office, Ontario had the capacity to produce 65 IMGs annually and put them into practice in Ontario. On our watch, that tripled to 200.

**Mr Baird:** This all comes down to your competence and the competence of the McGuinty Liberals. You had no strategy to reach out to physicians other than to continue the bully, tough-guy approach that has been the hallmark of your tenure as Minister of Health.

Furthermore, one of the big reasons this deal crashed and burned was because physicians were concerned about the waiting times for their patients. Right in the middle of the ratification debate among physicians and providers in Ontario, your wait times guru, Dr Alan Hudson, let the cat out of the bag. Your chief waitlist guru said, "I can't promise that the McGuinty Liberals will get waiting times down by 2006."

Will you now admit that your failed scheme to reduce waiting lists was a big part of the failure of this agree-

ment, and that the agreement contained nothing to get waiting lists down in Ontario? Will you do us all a favour and take that to the bargaining table when you try to re-engineer this failed policy?

**Hon Mr Smitherman:** I think the honourable member would be wise to acknowledge that the \$107 million investment in wait times last week for 2004-05 has the very immediate effect of reducing wait times for Ontarians. For those Ontarians who have been waiting for cataract surgery, they immediately gain the benefit of a reduced wait time, from the fact that we're funding 2,000 additional surgeries this year alone for people with cataracts. It makes the point rather well that as a government we're working not only to address wait times by increasing volumes, but we're also doing the hard work that you failed to do as a government, and that was to build the capacity to properly manage wait times. Not only will we build that capacity; we'll put that information on a Web site and make it available to Ontarians, because in working with Ontarians and health care providers, we are committed to an agenda which drives more resources to wait times and gets doctors back into local communities.

**Mr Baird:** Physicians work in hospitals. Physicians see the scheme that you brought forward last week. You see, here's the math. Health care services in Ontario hospitals will be cut back by \$600 million, and your lame attempt to put in \$107 million will still see a reduction in hospital services by upwards of \$493 million.

The London Health Sciences Centre, with a 0.2% budget increase, is going to have to lay off nurses. These doctors need to work with those nurses.

The 1.8% budget increase in Ottawa is going to lead to closing emergency rooms. It's going to lead to closing surgical rooms.

That's why physicians voted so heavily against your deal. Will you now admit that this has been a complete failed policy, and will you table the full cost of this failed attempt so that we can have some transparency as we pick up the pieces from this mess that you've created?

**Hon George Smitherman:** It's interesting to watch the member, who so garbled the math of fiscal realities in the province when in government, continue the same theme now.

1440

Here are the facts on hospitals: \$700 million more from our government than their budget proposed for hospitals; the London Health Sciences Centre—Tony Dagnone, last week, after my speech to the Ontario Hospital Association, himself acknowledged that we are going to be able to do better than the projections that had been made in the London community; more than \$1 billion invested in Ontario hospitals since we came to power.

Only the honourable member opposite could portray a \$469.5-million investment, a half-a-billion-dollar investment, as a cut. That's the Tory math. That's the kind of math that resulted in Ontarians facing an enormous budget deficit, and that is what we're working hard as a

government to confront. The people of Ontario will not fall victim again to the kind of math that the honourable member brings forward.

**Mr Jim Wilson (Simcoe-Grey):** On a point of order, Mr Speaker: I want an apology from the health minister. I don't recall any deal by the OMA being rejected under the previous government—

*Interjections.*

**The Speaker:** Order. That's not a point of order.

*Interjection.*

**The Speaker:** Order, the member for Eglinton-Lawrence.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Where's my apology? You closed two.

**The Speaker:** Order, Minister.

New question. The leader of the third party.

## HEALTH CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. My question concerns the mess your government, the McGuinty government, is making of our health care system.

This weekend, you completed your botching of the OMA deal with the doctors. Your health minister's arrogance, bullying and incompetence led physicians to reject the OMA deal decisively. Now ordinary Ontarians worry about the McGuinty era of health instability and what it means for them. With your doctors' deal in tatters, your high-sounding promises to reduce the doctor shortage and to reduce waiting lists and waiting times will be the next failure. Premier, what is your plan B? Is it the same as plan A?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me just say at the outset how absolutely pleased I am with the efforts that are continuing to be made by our Minister of Health, George Smitherman, on behalf of the people of Ontario. In his words, nobody ever said this was going to be easy. But we are not defenders of the status quo, as the member opposite most assuredly is. We have a very comprehensive plan to transform the delivery of health care in Ontario. One part of that plan has to do with a new arrangement with Ontario's doctors. We look forward to continuing to work with our doctors in that regard. But we have a very broad, very comprehensive plan, and we will continue to move forward on the entirety of that plan.

**Mr Hampton:** Your new arrangement with doctors? They just voted it down, Premier. Hello. Here's your plan as it's been unfolding:

First, you whack lower- and modest-income people with a regressive and unfair health tax. Then you cut chiropractic, physiotherapy and optometry. Then you underfund our hospitals so that they start looking at cuts to basic health services. Then you boast about your plan with Ontario doctors, but it is decisively rejected.



Premier, do you have a plan to fix the health care mess that your government has created? If you have a plan, please tell us what it is. Is it the same as plan A, which just failed?

**Hon Mr McGuinty:** One of the concerns that Ontario's doctors continue to rightly express is the shortage of physicians in the province of Ontario. Here is what Dr John Rapin, president of the OMA, said just a couple of weeks ago: "As the OMA predicted at the time, 10 years later this decision in itself"—he's making reference to the NDP decision to cut medical school spaces—"bears much of the blame for the current shortage of all types of physicians in Ontario, including the one million patients who do not have access to a family physician."

If the member opposite would care to listen, I will tell him that we are opening up a new medical school in northern Ontario, so we'll have more medical school graduates in the province. I will tell him as well that we are more than doubling the number of spaces in residency programs for our international medical graduates, from 90 to 200. So if he wants to know what we are doing to move ahead to create more opportunities for doctors to be trained in the province of Ontario, that is what we are doing.

**Mr Hampton:** So far, you've talked about a medical school in northern Ontario. The Conservatives announced and reannounced that twice. That's nothing new. That is simply a repetition of what the Conservatives had as their scheme.

But your plan is in shambles. You boasted about it, your health minister boasted about it, and now the doctors have overwhelmingly defeated it.

Premier, what's your plan? Plan A didn't work. What's plan B, or is it the same as plan A? What's your plan?

**Hon Mr McGuinty:** The last time I checked, the sun is still rising in the east and setting in the west and families today are still accessing primary care and services being provided by hard-working Ontario doctors. But since they are interested in the balance of our plan, Speaker, I'll take the opportunity to enlighten them just a bit more in that regard.

We have funding in place so far for 2,400 new full-time nurses under our plan. We have a plan to create 150 new family health teams. We've already received applications, unsolicited, from 90 communities for those kinds of teams. We have a brand new vaccination program that will vaccinate more than two million children, saving families \$600 per child. We're expanding home care coverage in the province of Ontario. This is proceeding, by the way, notwithstanding the lack of an agreement with doctors, to cover 100,000 more Ontarians. We're improving care in our long-term-care centres, in our nursing homes. We'll make sure we have a nurse there on a 24/7 basis. When it comes to public health, we're increasing the provincial share of funding from 50% to 75%. We're expanding community health opportunities to cover 78,000 more adults and 7,000 more children.

I could go on at considerable length.

## PRIMARY CARE REFORM

**Mr Howard Hampton (Kenora-Rainy River):** To the Premier, this is about primary health care reform. Remember when you and the Minister of Health used to boast about your plan for primary health care reform? This is what it amounted to: You were going to have a backroom deal with the doctors; meanwhile, you were going to ignore all of the other primary health care providers. It failed. It didn't work. The doctors said no. They rejected it.

My question to you is, do you recognize that if we're going to get real primary health care reform, you have to talk to the nurse practitioners, you have to talk to the nurses, you have to talk with the community health centres? Are you prepared to put together a plan where you talk to all the people and work with all the primary health care providers, or is plan B the same as plan A: talk to the doctors in a backroom and hope that that will work?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** It's obvious that the member opposite is not familiar with our concept of family health teams. I'll take the opportunity to enlighten him in that regard.

We have a plan to put 150 family health teams in place. As I just mentioned, we've received unsolicited requests on behalf of 90 separate communities so far with respect to family health teams. A family health team is a multidisciplinary team consisting of doctors practising in a team with nurse practitioners, nurses and other health care professionals. That's the whole idea behind our family health teams. As I say, we've already received 90 requests. We can and will proceed on those, regardless and independent of what we do with the OMA through our agreement with them.

**Mr Hampton:** Now you're talking about family health teams. These are the same family health networks that Mike Harris and Ernie Eves used to talk about. They're the same thing. They didn't work then, and now changing the terminology a bit isn't going to work.

Are you prepared to sit down and talk with the nurses and the nurse practitioners? Are you prepared to work with the pharmacists, nutritionists and mental health professionals? Are you prepared to work with the full range of primary health care providers, or is plan B the same as plan A: go back to the backroom with the doctors and hope that somehow that will work? What's your plan? Is plan B the same as plan A? Plan A has been rejected.

1450

**Hon Mr McGuinty:** I know the Minister of Health is anxious to get in on this.

**Hon George Smitherman (Minister of Health and Long-Term Care):** The honourable member obviously has a difficult time grasping that family health teams find their ideological roots in the community health centre movement—something that under our government in the last few weeks we've increased funding for by \$21 mil-

lion, with 10 new community health centre satellites formed in the province of Ontario—and that community health centres have helped to inform family health teams, which will be interdisciplinary. Last week, I had the opportunity to speak to nurse practitioners, to meet with Patricia Agnew, who endorses our government's agenda with respect to that.

As relates to the agreement that was up for ratification: Yes, certainly, it didn't enjoy the favour we had hoped, but 78% of doctors who work in community health centres supported it; 84% of doctors who work in health service organizations supported it; 94% of doctors who are medical students—doctors of tomorrow—supported it; 80% of doctors age 26 to 30 supported it.

The fact of the matter remains that in favour of the model of primary care reform that we are moving forward with, 150 family health teams will be built in Ontario. Already, 90 communities in Ontario have said, "We want to be part of this action."

**Mr Hampton:** I swear I just heard Ernie Eves talking about how wonderful the Conservative family health networks were going to be.

Minister, here is your record as Minister of Health: You've attacked hospitals; you've attacked chiropractic, physiotherapy and eye care; you went after the disabled, the poor, the frail and the elderly, and tried to take \$200 million out of their prescription drug coverage; and you said that you had the ingredients of a transformative deal with doctors, but now the transformative deal with doctors is gone.

I simply want to know from the McGuinty government: Does anybody over there have a plan? Plan A did not work. Does anybody in the McGuinty government have a plan B for working out an agreement on primary care reform?

**Hon Mr Smitherman:** It's always good in this House when the honourable member can stand up with enough amnesia intact that he forgets about the record of his party while in government. What was that?

*Interjections.*

**Hon Mr Smitherman:** Oh, apparently I've touched a nerve, because that party's record in government continues to haunt communities all across Ontario. Our plan is clear: family health teams, 150 of them. And 90 communities in the province of Ontario have already stood up and said, "We want to be part of this."

*Interjections.*

**Hon Mr Smitherman:** What are they? Not doctors working alone, not doctors working—

*Interjections.*

**The Speaker:** Order. I'm going to warn the member for Nepean-Carleton. The next time I may have to name you.

**Hon Mr Smitherman:** —not doctors working alone; doctors working in practice. In practice with whom? With nurse practitioners, with nurses and with pharmacists.

This is the plan that we're working to bring to the province of Ontario. Before fiscal year 2004-05 ends, we

will announce the first 45 of these, and communities all across Ontario will be the beneficiaries.

## HEALTH CARE

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health. Today, a senior Liberal adviser from the Premier's office said that the rejected OMA deal was only part of your McGuinty health plan and that this overwhelming rejection doesn't change your plan. In fact, that person said plan B is the same as plan A.

Now, if that is the case, Minister, your government is dangerously out of touch with the challenges and the realities facing front-line health care providers in this province, as well as with what patients need and deserve. They need better access to care. They need shorter waiting times.

Starting with Bill 8, to the ongoing war that you have with hospitals, and now with the rejection of this OMA offer, your McGuinty health plan has been an overwhelming failure. I ask you today, what steps are you going to take to regain the trust of the health care professionals and the patients and get back in touch with what is needed in this province?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The honourable member was the longest-presiding Minister of Health in the government. It's interesting that a party that was repudiated by the public, in part as a result of their efforts in this essential public service, now seeks to create the impression that they did well. The sad and pressing reality of their watch is that the number of communities in our province that were underserved grew from 62 to 133. We're working to address that, and we're working with vigour.

What is our agenda? Our agenda is the first investment in mental health in 12 years, \$65 million; our agenda is a \$103-million investment in home care to dramatically expand our capacity to address that; our agenda is to move from crisis to confidence in long-term-care homes, after you left those in a very, very sorry state indeed—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary?

**Hon George Smitherman:** —our agenda is primary health care reform—

**The Speaker:** Thank you. Supplementary?

**Mrs Witmer:** Minister, you don't have a response. By the way, the reason there are more underserved communities is because we expanded the designation to southern Ontario as well.

You know, you just don't seem to understand that your health plan has been a failure from start to finish. First you introduced Bill 8, a draconian bill, without any consultation—

*Interjections.*

**The Speaker:** Order.

**Mrs Witmer:** —which is an affront to physician independence. Then you introduced your health tax, despite promising people in the election that you wouldn't do so.



Then you said you would not privatize health services; today, we have chiropractic, eye tests and physiotherapy privatized. In fact, people are paying more today for less services. Then you promised to cut wait times and improve access to care—

**The Speaker:** Question.

**Mrs Witmer:** —instead you're in a war with the hospitals. Now we have this deal. I ask you again, Minister, this deal was rejected on Saturday. What steps are you now prepared to take to restore the trust and make sure you respond to the needs of the health care professionals and patients in this province?

**Hon Mr Smitherman:** I say, first off, that I'm incredibly proud of Bill 8. I think that Bill 8 will be seen, in the full light, as a bill that has dramatically altered our ability to protect medicare, to end two-tier and to keep outside our borders American providers who sought to come in and prey on our most vulnerable. I think Roy Romanow's comments stand in sharp contrast and with much more credibility than those of the honourable member. The member has made the point that on Saturday we had a result and today is Monday. Today is Monday, and across Ontario, doctors have returned to do the work they do. We appreciate the excellent work they do. We have commitments to return doctors to service in communities and to address wait times, and we will continue to advance these priorities on behalf of patients in the province of Ontario.

#### AFFORDABLE HOUSING

**Mr Michael Prue (Beaches-East York):** My question, in the absence of the Minister of Municipal Affairs and Housing, is to the Premier. Today is National Housing Day. People across this province are protesting the lack of affordable housing. In fact, you don't have to go any further than out to the front steps of Queen's Park to see many people from across Ontario reminding you that adequate shelter is a human right. They are devastated by your broken promises on housing.

I'd just like to remind you, Premier, of what you promised. You promised 20,000 new affordable housing units, but they are not being delivered. You promised rent supplements for 35,000 families; you haven't delivered on those. You promised 6,600 more supported units for people with mental health needs; you haven't delivered on that.

**The Speaker (Hon Alvin Curling):** Question.

**Mr Prue:** Meanwhile, 158,000 families are waiting for affordable housing. Mr Premier, when it's so clearly needed, why do you continue to break your promises?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** After the previous government abdicated responsibility for support of affordable housing for eight years, I'm glad to report that this government is back in the business of affordable housing. I want to commend any Ontarian who is sincere in their efforts to heighten the profile of this issue and to help us all understand that we have a shared responsibility when it comes to building affordable housing.

1500

Let me tell you what we've announced so far, because I'm sure my colleague opposite missed it. In Waterloo, 597 units have been announced; London, 104 units; Wellington, 94 units; Toronto, 895 units; Peel, 384 units; York, 118 units; Hamilton, 60 units; Peterborough, 90 units; Ottawa, 300 units; Kingston, 105 units. And we've just begun.

**Mr Prue:** Mr Premier, those announcements have been made not once, not twice, but at least 20 times in the last couple of years. Nothing has been built. That's the problem.

Almost three years ago, the federal government said they would match provincial dollars. I know you weren't there for the whole time, but they put forward \$700 million. To date, as far as I know, the province has spent \$1.2 million of that. People are sleeping outside. There were people sleeping outside last night in front of city hall, and in fact they sleep there every night. They want to know when you're going to keep your broken promises. When are you going to match the federal dollars that you committed to, when are you going to create rent supplements for those who need them, and when are you going to create supportive housing for people with mental illness or other special needs? If you won't announce it today, on National Housing Day, when will you announce it?

**Mr Rosario Marchese (Trinity-Spadina):** Where's the pecunia?

**Hon Mr McGuinty:** Again, my friend opposite asks, "Where is the pecunia?" We've invested \$65 million so far, announcing 2,747 units. I can also say that we are actively negotiating with the federal government when it comes to a joint effort to build more affordable housing in Ontario.

But in addition to housing—I know my friends opposite understand that this is a broader issue than just affordable housing itself—I'm pleased that we've been able to increase the minimum wage for the first time in nine years. I'm pleased that we've increased ODSP and welfare rates for the first time in a decade. I'm pleased that we've established a rent bank, as well as an emergency hydro fund. I'm pleased that we've ended the lifetime ban on welfare, in keeping with the Kimberly Rogers inquest. I'm pleased that we've restored the nutritional allowance for expectant mothers who find themselves on welfare in Ontario. I'm pleased as well that we've made the first investment in a dozen years in community mental health services. We have moved forward in those areas and will continue to move forward in those areas, as well as in the area of affordable housing.

#### EDUCATION

**Mr Peter Fonseca (Mississauga East):** I have a question for the Minister of Education. This past week you made an announcement about a new initiative, the Parent Voice in Education project. The purpose of this

project is to determine the best means by which to establish an independent body in order to give parents a stronger voice with regard to education issues.

The McGuinty government is committed to increasing transparency and accountability in government. Under the previous government, many groups felt excluded from the decision-making processes of the government. Can you tell me how the new Parent Voice in Education project will help rectify these accessibility deficits?

**Hon Gerard Kennedy (Minister of Education):** It is indeed a pleasure to acknowledge that for the first time in a number of years, parents will have control over their own voice in education. There was, it should be noted, an Ontario Parent Council in the previous government, but it consisted of the parents that the previous government was prepared to listen to. Instead, what we have said is that the parents in this province deserve better. They are an integral part of whether or not we will succeed with students in the future, and we have given them resources. We have taken parents who already represent thousands of other parents, and within a few months' time they will make a recommendation for a permanent council that will be representative of all parents in this province and will not have the guiding hand of government about who sits and speaks on behalf of parents in this province.

**Mr Fonseca:** I'm glad to hear that this new initiative will give Ontario's parents a voice at the table on education issues and concerns. My riding of Mississauga East is part of the Peel region school boards. Peel region is unique in many ways, and I'm particularly glad that many of their concerns will be addressed through this group.

Can you tell me what steps your ministry is taking to ensure that the selection process for the members of the Parent Voice in Education project properly represent all regions and demographic groups in the province?

**Hon Mr Kennedy:** It is important that we have representation from around the province. This is just a project group to start with, but it is one of the tasks that we put them to. We have a number of diversities in this province. One is geographic. So we have Anita Srinivasan from Mississauga, for example, to make sure that some of the faster-growing areas that have unique education challenges are directly represented.

We've also put to people that we need to have all parents to be part of this. So we deliberately made sure that there are parents representing some of the groups like recent immigrants, people with lower incomes, to make sure that we are truly trying to engage parents in their children's education.

We don't have any illusions that getting this started is going to solve this problem that has been around for some time, but it is more difficult, parents are busier, and the challenge for students is greater. We do believe that we have a tremendous talent here that finally is going to be tapped into, and that is the wishes and ambitions of parents on behalf of their children, working on a framework that really does represent them for the first time.

## OMA AGREEMENT

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health and Long-Term Care. I was disappointed that you didn't share with us in this House, and people watching, your next steps: how you're going to make sure that you do develop an agreement that is going to go far enough to ensure that patients will have the health care they deserve, because Dr Rapin, the president of the OMA, said on Saturday, "This agreement does not go far enough to ensure patients will have the health care they deserve."

He went further and said, "The agreement contained no real incentives to keep the one in six physicians who are planning to retire in the next five years from retiring now." He said, "We need actions that will reduce wait times and improve access to diagnostic tests and treatment today."

My question to you, Minister, is extremely simple. There's a lot of anxiety in the province today, and I ask you today, can you make a commitment today that you will return to the bargaining table for further discussions in order that we can put the needs of patients first and foremost?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The member, in her question, suggested that there was a lot of anxiety today in Ontario, and I'd like to suggest that her tone and temperament might have something to do with that, and that of her party.

The fact of the matter is—and I think it's important to remind Ontarians—that doctors were at their jobs yesterday and the day before and Friday, as they are today. Of course, we've got some work to do, and we'll get down to that.

The first step, as I've clearly indicated in the media over the weekend and I indicated very directly to Dr Rapin on Saturday morning, is that he and I will have a chance to have a dialogue about this—I'm not sure that is established yet, but it's our full expectation that that will take place this week—and it's a conversation that I look forward to.

**Mrs Witmer:** That answer is not totally reassuring. I think part of the problem, Minister, has been your lack of willingness to listen while you're doing consultations. In fact, you have usually acted before consulting. You failed to consult with health care professionals when you introduced Bill 8; you failed to consult with hospitals when you cut their funding and forced them to cut services; you failed to consult with chiropractors, optometrists and physiotherapists when you delisted their services; you failed to consult with Ontarians when you imposed your health tax; and now you are failing Ontarians by not delivering on your promise to improve access to health care and reduce wait lists.

I ask you one more time. This is a very important question, Minister. You can't continue to bully and be obstinate. Will you acknowledge that you should put patients first? Will you commit today that you will



continue discussions with the OMA and come back to the table as soon as possible?

**Hon Mr Smitherman:** For the honourable member to somehow pretend that the agreement that was on offer to doctors in Ontario didn't come as a result of consultation is a little bit absurd, particularly because the reality is that, for nine months, two negotiating teams—one from the province of Ontario and one from the Ontario Medical Association—worked together. The Ontario Medical Association negotiating team unanimously endorsed an agreement, and they took that to the board of the OMA, which put it out on offer to Ontario's doctors.

1510

Further, the honourable member asked me a question that I answered in the earliest question. She said, "Will you be in conversation with the Ontario Medical Association?" I clearly indicated that yes, it was my full expectation that, through the course of this week, Dr Rapin and I are going to have an opportunity to sit down face to face, and that's the opportunity I'm very much looking forward to.

Ontarians will know in that process that we continue to move forward with the agenda we have outlined: delivering doctors to local communities, addressing chronic disease management and making real progress on wait times.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** My question is to the Premier. Premier, November is Adoption Awareness Month. I want to read an excerpt from a letter you sent to the Coalition for Adoption Records, dated September 10, 2003. You wrote how you had voted in favour "of the proposed changes to adoption disclosure procedures"—that's my bill.

"I believe that, in the majority of cases, both adult adoptees and birth parents who have given their children up for adoption should be allowed access to their records.

"In my view, it is a question of human rights."

Your letter also referred to how there has been an almost unanimous show of all-party support for changes to adoption disclosure procedures.

Premier, given all of that information, will you agree today to act on that support and open up adoption records? Call Bill 14 for third reading and a final vote now.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I can say that I have asked the Minister of Community and Social Services to closely examine this bill so that we can consider our options on this. It is no secret that I have been supportive of the direction that the member opposite has taken in the past, and we're going to find the best way to give expression to that support.

**Ms Churley:** The work that has been done by myself and members of the adoption community over the years—we have come up with the best system. There is no need to re-examine this. It has gone to committee. It is

time to move. As you know, because of its outdated laws, Ontario continues to violate the UN Convention on the Rights of the Child, which Canada ratified in 1996.

Current laws continue to put the lives of adoptees and their children at risk. Under this system, adoptees cannot get their family medical history until they show symptoms, when it's usually too late. Thus, it is impossible for adoptees and their children to take preventive action. People are dying, as we speak, as a result of those outmoded laws. My bill has just about been passed in the past.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** It's not about you, Marilyn.

**Ms Churley:** It's about the adoption community, I would say to the House leader who's screaming over there.

This bill has been up time and time again. Minister, it is just time to get on with it. It has been to committee. It has been brought back to the House under previous governments. Will you please just go ahead, stop this nonsense, House leader, and pass the bill?

**Hon Mr McGuinty:** The member opposite has some real history connected with this issue. I do not for a moment doubt her sincerity and commitment to this issue.

What I've asked our Minister of Community and Social Services to do as well is to take a look at the experience of that policy thrust in other jurisdictions, to see what lessons we might draw from that experience, to see if there's any way that we might improve the bill that was introduced.

Here's the good news: We're going to move forward with this. What we're trying to do is move forward in a way that is thoughtful and responsible.

#### GROWTH PLANNING

**Mr Tony C. Wong (Markham):** My question is for the Minister of Public Infrastructure Renewal. On Thursday, October 28, the McGuinty government announced the greenbelt protection plan. This proposed legislation would protect and preserve 1.8 million acres of land within the Golden Horseshoe. The need to protect our green space is immediate if we are to leave an environment that cannot only maintain but also sustain healthy communities for our children.

Markham is one such community. Markham is one of the fastest-growing communities in the GTA, with its current population of 230,000 expected to grow to 348,000 within the next 20 years. The rate of growth for Markham exceeds the national and provincial averages. As a result, there is tremendous pressure on Markham and a number of communities for the development of land. Will the greenbelt legislation consider, in tandem, protection of land and growth planning?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I want to thank the member for Markham for the question. I had the opportunity to attend in the town of Markham back at the end of July to talk about our

growth plan. We had over 300 residents of the town of Markham come and talk to us and say it was about time someone finally got on with the job of ensuring that we protect our environment and that we have an infrastructure plan that is going to meet the needs of some of those growing communities; it's time we had a provincial government that took a holistic approach. So absolutely, we are developing a plan.

In fact, we have proposed Bill 136, the Places to Grow Act, which, if adopted, would enable the province to develop and adopt these types of growth plans. If the plan is endorsed by this House, we intend to partner with the municipal sector, with our partners in the development industry and with NGOs in the environmental area. I'm going to expand much more in the supplementary, Speaker, but I can tell the member for Markham that this type of planning creates jobs, attracts investment and protects the environment, but most importantly, it improves quality of life.

**Mr Wong:** Attempts to curb urban sprawl do not have to mean an end to new communities. Specifically, what efforts will your ministry provide to assist communities such as Markham in achieving an environmental, social and economic balance so that business and growth will not be discouraged within our communities?

**Hon Mr Caplan:** An excellent supplementary. I've had a chance to meet with Don Cousens, the mayor of Markham. You will be very interested to know that we have identified, in our draft discussion paper Places to Grow, in downtown Markham a brand new town centre for the city of Markham as one of the emerging areas within the greater Golden Horseshoe plan. We plan to work to strengthen communities in which we live. We're going to develop real, positive change that will make Ontario strong, healthy and prosperous now and for future generations. The growth act takes a regional approach to growth planning that considers existing local opportunities and challenges like the one I mentioned in the Markham downtown core. It's a different kind of approach; it's holistic, and it's cross-ministry. But more importantly, where we're going to succeed, and where initiatives like the Toronto centre region failed under previous governments, is that we're working with municipalities to make sure we realize the kinds of communities that will ensure that Ontarians have a quality of life that is second to none.

## HEALTH CARE

**Mr Tim Hudak (Erie-Lincoln):** A question to the Minister of Health: There is a growing stench of incompetence surrounding your handling of the Ministry of Health. By way of example, your health premium—one day a premium, one day a tax—doesn't flow directly to health care. You raised the tax and cut services to chiropractic, physiotherapy and optometry. You're strangling hospitals for funding, and your main tactic for stakeholder relationships is a choke hold. Hospital expansion projects are lining up outside your door all the way down

the hallway. And this weekend, the hallmark of your reforms, the big, keynote piece of your re-structuring, went down in flames, probably the biggest bungled file in recent memory. That fire didn't start yesterday; it started some time ago.

From your response to the member from Kitchener-Waterloo about when you're resuming negotiations, it sounds an awful lot like you took the weekend off. Tell us, are you returning to the negotiations immediately, as I understand the OMA is requesting, to get a deal and move forward?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I can assure the honourable member that I didn't take the weekend off. Speaking about the word "incompetence," which was used in the honourable member's very, very language-laden introduction, I want to just read a comment. This is from Bill Murdoch: "I want to tell you why it wasn't done: because we had an incapable, incompetent minister handling it in Minister Hudak. He shouldn't have been the minister. He was the minister, and that's unfortunate."

I've been very, very clear: The Ontario Medical Association president and I had a conversation on Saturday morning. I indicated to him then, in a fashion that seemed very acceptable to him, that we would have an opportunity to sit down and meet this week, and that's what we're going to do.

1520

The fact of the matter remains that doctors in Ontario are at their jobs today doing the hard work they do on behalf of patients, for which we're appreciative. We do have some work to do, and we'll get doing that work. But it's only the honourable member who seeks to turn something into something that it's not.

**Mr Hudak:** Clearly, in question period, the minister's strategy is that a good offence makes a good defence. But you're not answering the basic question that's been asked of you time and time again: When are you going to sit down, sir, and enter into negotiations with the OMA? I understand the OMA is now calling for an immediate resumption of negotiations with the Ministry of Health.

You characterize it as all sunshine and smiles across the province of Ontario this morning. Sir, that is a most bizarre depiction. Doctors are continuing to find it attractive to practise in other provinces and other states. They're making their training decisions based on current agreements and contracts. Underserved area communities are feeling greater and greater pressure. Doctors near retirement are finding no comfort in your words that you had a phone conversation in response on your weekend off.

Tell us, beginning tomorrow. Respond to the OMA that you'll resume negotiations immediately.

**Hon Mr Smitherman:** I'm pretty sure I wasn't involved in a weekend off when I toured the Ottawa Heart Institute on Saturday. I'm pretty sure I wasn't involved in a weekend off when I participated in a panel that was a think-tank that was working hard on health issues Saturday afternoon. I'm pretty sure I wasn't involved in a



weekend off when I attended the fundraiser in Ottawa for St Vincent hospital to celebrate the successful end of their capital campaign. And I would say to the honourable member that I did cheer rather loudly for the Argos last night. I make no apology for the work that I do in support of the great community of Toronto.

It seems to be the honourable member's agenda to try and create a crisis. We know that manufacturing those was the stock and trade of his party while in government. We will not participate in that.

The challenges that we must confront in Ontario's health care system are great, and we have a very, very good plan, a comprehensive plan. Many elements of it are already invested and others with more work yet to do. We're the first to acknowledge it. We're a hard-working government, and we will—

**The Speaker (Hon Alvin Curling):** Thank you. New question.

#### ACCESS TO LEGISLATIVE BUILDING GROUNDS

**Mr Peter Kormos (Niagara Centre):** A question to the Premier: You know that homeless people, their advocates and their friends protested yesterday evening in the front yard, the courtyard, of city hall. It's no surprise that, after having slept the night there, they arrived here at Queen's Park today assembled with the intention of pitching makeshift tents and spending the night so as to draw attention to the crisis and tragedy of homelessness. Half a dozen or so of those people have just been arrested, including Cathy Crowe of the Toronto Disaster Relief Committee. They've been charged with trespassing by Toronto police and taken into custody, it appears, at the instructions of somebody, because the police didn't act unilaterally.

Why are you, as the Premier, not making it clear that the environs of Queen's Park are open and available to those who will peacefully protest?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: Any arrest on the precinct would not be the responsibility of the government; it would be the responsibility of the Speaker. Therefore, it's impossible—

**The Speaker (Hon Alvin Curling):** The point of order is well taken. I hope that the question you're addressing is pertinent to the Premier. As the government House leader has indicated, the precinct of this place is governed by the Speaker. So I want to hear the final part of this question.

**Mr Kormos:** Premier, will you please stand and indicate that as Premier of this province, you expect citizens of Ontario to have access to the front of this building and the grounds in front of it for peaceful, democratic protests—

**The Speaker:** Order. Again, that question should not be directed to the Premier.

*Interjections.*

**The Speaker:** Order. The member for Toronto-Danforth, do you have a point of order?

*Interjections.*

**The Speaker:** Order. Member from Toronto-Danforth, on your point of order?

**Ms Marilyn Churley (Toronto-Danforth):** I understand my House leader has a point of order, but I rise on a point of order and that is directly to you, Mr Speaker: I'm asking you, the Speaker, to review the procedures of this place to make sure that the front of this building is open to the public. I know I can't ask you a direct question, but we've just had the modern-day—

**The Speaker:** Order. Order.

*Interjections.*

**The Speaker:** I'd appreciate that if you have a concern about that, you could address it after question period. I will not accommodate that as a point of order at this moment.

I'm going to have a new question. The question was out of order.

*Interjections.*

**The Speaker:** Order. Could you start the clock for me, please? It's much easier—

*Interjections.*

**The Speaker:** Order. It's much easier if you allow me to preside over the House. Quite often, members are indicating how it should be proceeding. I have just ruled on a point of order and I've just stated that that question is out of order. I'm going to take the next question of the rotation.

#### IMMIGRANTS' SKILLS

**Mr Tony Ruprecht (Davenport):** I have a question for the Minister of Training, Colleges and Universities. Over the last 12 months we've seen a flurry of activities emanating from your office, trying to help foreign-trained professionals gain access to trades and professions. In fact, over the last year, this government has done more in terms of opening the door than any previous government in the history of Ontario.

Employers play a particularly important role in this equation to get jobs for foreign-trained professionals. While many employers have a strong track record of recruiting highly qualified trained professionals, I've heard reports of several other employers who have failed to take advantage of this opportunity. Minister, what are you doing to engage employers as part of our strategy to reduce barriers for internationally trained individuals?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I thank the member from Davenport for that question and his acknowledgement of all of the work we're trying to do on the file for internationally trained individuals. There is no question that employers play a very important role in this file. There is no question that we need employers to be progressive in their thinking, in providing internships, and in fact in providing permanent positions.

We hosted a breakfast at the board of trade. I'm pleased to say it was a sellout. Over 250 employers were

there and are offering their support to our government in this regard.

We have also increased the funding for a program called Career Bridge. It's up to \$1.2 million in funding for internships, and I'm very pleased to report that they have increased the number of internships by more than 50% over their target for this year.

**Mr Ruprecht:** It's good to hear that the time is over when foreign-trained professionals are driving taxis or cleaning offices or delivering pizzas. I want to personally thank the minister for her personal role in this, because she has made a commitment to try to ensure that adequate jobs are for the having.

Minister, as you know, employers are part of our solution, as you just indicated. If an employer is interested in learning more about how they can take advantage of the skills of highly qualified professionals, can you tell us more information about how they can access those employers? How are those employers going to open the door so that these specifically trained individuals can actually get adequate and good jobs?

1530

**Hon Mrs Chambers:** My ministry has actually improved the Web site that we have for internationally trained individuals. The section is called Opening Doors and it's part of the Web site, edu.gov.on.ca. I would encourage them to look at that Web site and to get in touch with us to see how they can participate in this very worthwhile cause. Because this, in fact, is going to strengthen Ontario's economy for all Ontarians, not just for internationally trained individuals.

**The Speaker (Hon Alvin Curling):** That's the end of question period.

#### ACCESS TO LEGISLATIVE BUILDING GROUNDS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I seek unanimous consent for this House to entertain an emergency resolution debate and closure on that resolution at 6 pm that would direct the Speaker to permit peaceful assembly on the lawns of the Legislative Assembly.

*Interjections.*

**The Speaker (Hon Alvin Curling):** I was about to ask for unanimous consent, but I heard a nay.

**Mr Kormos:** On a point of order, Mr Speaker: With all due respect—and I'm going to be brief—you know now that people who had peacefully assembled on the front lawns of this precinct have just been arrested by metro police, clearly on the instruction of authority, and not unilaterally on the part of the police.

**The Speaker:** I thought you just addressed that and I had ruled on that. What's your point of order?

**Mr Kormos:** My point of order is that these people weren't committing any crime. They were peacefully assembled—

**The Speaker:** That is not a point of order.

*Interjections.*

**The Speaker:** Order. I'm going to ask the member from Niagara Centre to come to order, or else I'll have to name him.

The member for Nepean-Carleton on a point of privilege.

**Mr John R. Baird (Nepean-Carleton):** On a point of privilege, Mr Speaker: This is a point of privilege arising from the proceedings. You just mentioned a ruling that you gave, and I don't take issue with that ruling. As I recall, sir, that was a ruling with respect to a question asked in question period; it wasn't a ruling with respect to the right of people to peacefully assemble on the grounds of the front lawn of the democratic institution we know as Queen's Park. It was about question period, and it was about whether a question could be posed to the Premier.

I think the member for Niagara Centre brought up a serious and legitimate concern that followed your ruling that said that you, sir, in fact are the one who is ultimately responsible. We can't ask you questions in question period. I believe this is somewhat unprecedented with respect to people not being allowed to peacefully assemble on the grounds of Queen's Park.

**The Speaker:** I have ruled on that point. Will the member sit down, please. The member had asked for a point of order, which I have ruled out of order. There is no point of order of asking about a question to be asked at that time.

**Ms Marilyn Churley (Toronto-Danforth):** Mr Speaker, on a point of order—

**The Speaker:** Order.

**Ms Churley:** I'm sorry. I thought you were through with that. I'll wait.

**The Speaker:** No, I'm not through.

*Interjection.*

**The Speaker:** I'm going to ask the member again—I'm going to warn him one more time.

As I have said, I've ruled on that, and if there's a concern that you have, I don't think you have been denied any privilege whatsoever in this regard, and I would not rule it as a point of privilege.

The member from Toronto Danforth on a point of order.

**Ms Churley:** On a point of order, Mr Speaker: I'm listening carefully to your rulings, I really am. I'm just trying to sort out the best way to proceed with this.

Mr Speaker, I think you would agree with me that we're in a very serious situation here, and I would ask therefore for your direction in terms of your previous rulings around how we, as legislators from all of the parties, deal with this very serious issue where we have a nurse, who crawled into a makeshift tent, non-violently, and is arrested, along with others of the coalition, and dragged off to the police station.

There is something very, very wrong with this picture, and we need your direction then, Mr Speaker, as to how we as an assembly can properly deal with this. I hope that you will therefore, since you've ruled it out of order and we can't ask you questions, direct us as to how we can



deal with this immediately so we can take steps to, first of all, get the barriers off the front of the lawn, where they shouldn't be—I was noticing that today—but secondly, to make sure that this doesn't happen again and there can be peaceful assemblies on our front lawn.

**The Speaker:** On your point of order: I am available, immediately after this question period, to see me in my office in this regard. That's the proper way to deal with it, not to raise it in the House here and ask it directly to a member or a minister whose responsibility it is not. So if you have a concern about that, please see me in my office.

**Mr Baird:** Point of order, Mr Speaker: This is substantially serious for those of us in both opposition parties. I'd like to ask for a 15-minute recess of the House so that this matter can immediately be discussed.

**The Speaker:** Order. I thought I just stated the way in which we can resolve this. I've said that if you want to convene a meeting with me in my office, I'm quite available to do so, and the matter may be able to be resolved in that light. It's not a matter for the House to resolve.

**Mr Baird:** Point of order, Mr Speaker: I have asked for unanimous consent for the House to adjourn for 15 minutes so we can get some answers.

**The Speaker:** You ask for unanimous consent for the House to be recessed.

Do we have unanimous consent? I heard a no.

## PETITIONS

### CHILDREN'S HEALTH SERVICES

**Mr Garfield Dunlop (Simcoe North):** I have a petition to the Legislative Assembly of Ontario:

"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I'm pleased to sign my name to that.

### CHIROPRACTIC SERVICES

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I send this to you, Speaker, via page Eric.

1540

### GASOLINE PRICES

**Mr John O'Toole (Durham):** "Whereas gasoline prices have continued to increase at alarming rates in recent months; and

"Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario's drivers, while also impacting the Ontario economy in key sectors, such as tourism and transportation;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the province consider an immediate gas price freeze for a temporary period until world oil prices moderate; and

"That the Dalton McGuinty provincial government petition their federal Liberal cousin to step up to the plate and lower gas prices by removing the GST on gasoline products and fix the federal Competition Act to ensure that consumers are protected and that the market operates in a fair and transparent manner."

The member from Barrie-Simcoe-Bradford has a bill on this. I'm going to sign it.

#### HISTAMINE TREATMENT

**Mr Michael Prue (Beaches-East York):** I have a petition to the Legislative Assembly of Ontario. There are many people in the gallery here today to watch this. It reads as follows:

"Whereas the College of Physicians and Surgeons of Ontario retains their ban on histamine treatment, and continues to prosecute doctors who administer the treatment in contravention of Bill 2, amendment to the Medicine Act, 1991, of the province of Ontario, as well as chapter C-6 of the Canada Health Act, we request the intervention of the Legislative Assembly of Ontario;

"We, the undersigned residents of the province of Ontario, hereby petition the Legislative Assembly of Ontario to honour our rights to histamine treatment for our allergies, asthma, chronic fatigue syndrome and related immune dysfunction diseases by enforcing the above-mentioned laws on the College of Physicians and Surgeons of Ontario."

I am in agreement with this petition, and I will affix my signature thereto.

#### TUITION

**Mr Phil McNeely (Ottawa-Orléans):** I submit this petition on behalf of the minister from Ottawa West-Nepean, Minister Jim Watson. It's for the students at Carleton University.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Liberal government took an historic step forward by funding a tuition fee freeze for two years; and

"Whereas a majority of Ontarians support increased public funding for colleges and universities, as well as reduced tuition fees; and

"Whereas increasing student debt through income-contingent loan repayment schemes or raising loan limits only increases the cost of post-secondary education for students from modest means; and

"Whereas per student investment in Ontario still lags gravely behind the vast majority of jurisdictions in North America;

"Therefore, we, the undersigned, supporting the Canadian Federation of Students' call to increase funding for colleges and universities and reduce tuition fees for all Ontario students, petition the Legislative Assembly of Ontario to reduce tuition fees for all students in Ontario, increase public funding for post-secondary education to at least the national average, and implement an upfront,

needs-based grant system for Ontario full-time and part-time students."

I support this petition.

#### FREDERICK BANTING HOMESTEAD

**Mr Jim Wilson (Simcoe-Grey):** I have a petition to save the Banting homestead.

"To the Legislative Assembly of Ontario:

"Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

"Whereas this great Canadian's original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

"Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Culture endorse Simcoe-Grey MPP Jim Wilson's private member's bill, entitled the Frederick Banting Homestead Preservation Act, so that the homestead is kept in good repair and preserved for generations to come."

I've received thousands of signatures from people in my riding and, of course, I endorse this petition.

#### CHIROPRACTIC SERVICES

**Mr Jeff Leal (Peterborough):** "To: Legislative Assembly of Ontario

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system and the government of Ontario."

I present Evan, the page, with three petitions.



## CHILDREN'S HEALTH SERVICES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to present a petition to the Legislature of Ontario which reads as follows:

"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their own area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas, the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I support the petition and sign it.

## YORK CENTRAL HOSPITAL

**Mr Mario G. Racco (Thornhill):** On behalf of the residents of York region, I present today to the House a petition requesting that the Legislative Assembly of Ontario support provincial funding for the expansion and renovation of York Central Hospital. The petition reads:

"Whereas each year thousands of York region residents rely on receiving timely access to high-quality health at York Central Hospital;

"(2) The capacity of our hospital to meet the health care needs of local residents is falling behind;

"(3) York Central Hospital has a plan. A plan that is supported by the local community and the Ontario Ministry of Health and Long-Term Care;

"(4) The community has already donated \$30 million to making the expansion a reality;

"We, the undersigned, submit 959 letters and post-cards and this petition to the Legislative Assembly of Ontario to approve this year the funding for the major expansion and renovation at York Central Hospital."

I support this petition and sign my name to it.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Gerry Martiniuk (Cambridge):** To the Legislative Assembly of Ontario:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and are now considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medication."

## CHIROPRACTIC SERVICES

**Mr Tim Peterson (Mississauga South):** I have a petition from the people of Mississauga South.

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I submit this to page Evan Odell, from Mississauga South.

1550

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario.

"Re: support for chiropractic services in Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I have signed this, and it comes from all over my riding.

#### AJAX-PICKERING HOSPITAL

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I have some 235 petitions this afternoon.

"To the Legislative Assembly of Ontario:

"Whereas at the time the Centenary Health Centre and Ajax-Pickering hospitals amalgamated under the umbrella of the Rouge Valley Health System, a commitment was made by the Health Services Restructuring Commission that the communities of Whitby/Pickering/Ajax, according to the amalgamation agreement, would not lose a full-service hospital and would maintain all existing services; and

"Whereas municipal governments in the region of Durham have provided financial support to the Rouge Valley Health System on the understanding that Ajax-Pickering hospital would continue as a full-service hospital; and

"Whereas numerous service clubs and other organizations have also raised money in support of the expansion of the Ajax-Pickering hospital and services provided therein such as the maternity unit on the understanding that the Ajax-Pickering hospital would continue as a full-service facility; and

"Whereas the Rouge Valley Health System has changed its strategic plan without consulting its key stakeholders, such as the residents who use the hospital, the doctors, nurses and other professional staff that work within the system and the local governments and organizations that fund the hospital; and

"Whereas this has led to a decrease in the level of service provided by the maternity unit and the number of acute care beds;

"We, the undersigned concerned citizens of west Durham, petition the Legislative Assembly of Ontario as follows:

"That a full-service hospital with all the existing services at the time of amalgamation be maintained at the Ajax-Pickering site and new services added as the population continues to grow and age, as agreed to by the Ajax-Pickering General Hospital and Centenary Health Centre in the amalgamation agreement signed May 31, 1998."

## ORDERS OF THE DAY

### ELECTRICITY RESTRUCTURING ACT, 2004

#### LOI DE 2004 SUR LA RESTRUCTURATION DU SECTEUR DE L'ÉLECTRICITÉ

Resuming the debate adjourned on October 20, 2004, on the motion for second reading of Bill 100, An Act to amend the Electricity Act, 1998 and the Ontario Energy Board Act, 1998 and to make consequential amendments to other Acts / Projet de loi 100, Loi modifiant la Loi de 1998 sur l'électricité, la Loi de 1998 sur la Commission de l'énergie de l'Ontario et apportant des modifications corrélatives à d'autres lois.

**The Deputy Speaker (Mr Bruce Crozier):** Pursuant to the order of the House dated November 17, 2004, I am now required to put the question.

Mr Duncan has moved second reading of Bill 100. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1553 to 1603.*

**The Deputy Speaker:** All those in favour, please stand one at a time to be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Fonseca, Peter	Pupatello, Sandra
Bartolucci, Rick	Jeffrey, Linda	Qadri, Shafiq
Bentley, Christopher	Kennedy, Gerard	Ramal, Khalil
Berardinetti, Lorenzo	Kular, Kuldip	Ramsay, David
Bountrogiani, Marie	Kwinter, Monte	Rinaldi, Lou
Bradley, James J.	Lalonde, Jean-Marc	Ruprecht, Tony
Broten, Laurel C.	Leal, Jeff	Sandals, Liz
Brownell, Jim	Marsales, Judy	Sergio, Mario
Cansfield, Donna H.	Matthews, Deborah	Smith, Monique
Caplan, David	Mauro, Bill	Sorbara, Gregory S.
Chambers, Mary Anne V.	McMeekin, Ted	Takhar, Harinder S.
Colle, Mike	McNeely, Phil	Van Bommel, Maria
Cordiano, Joseph	Millroy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wong, Tony C.
Di Cocco, Caroline	Mossop, Jennifer F.	Wynne, Kathleen O.
Dombrowsky, Leona	Oraziotti, David	Zimmer, David
Duncan, Dwight	Peterson, Tim	
Flynn, Kevin Daniel	Phillips, Gerry	

**The Deputy Speaker:** All those opposed, please stand one at a time to be recognized by the Clerk.



**Nays**

Baird, John R.  
Bisson, Gilles  
Chudleigh, Ted  
Churley, Marilyn  
Dunlop, Garfield  
Flaherty, Jim  
Hampton, Howard

Hudak, Tim  
Jackson, Cameron  
Kormos, Peter  
Marchese, Rosario  
Martiniuk, Gerry  
Murdoch, Bill  
O'Toole, John

Ouellette, Jerry J.  
Prue, Michael  
Scott, Laurie  
Tascona, Joseph N.  
Witmer, Elizabeth

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 52; the nays are 19.

**The Deputy Speaker:** I declare the motion carried.

Pursuant to the aforementioned order of the House, this bill is referred to the standing committee on finance and economic affairs.

**STRONG COMMUNITIES  
(PLANNING AMENDMENT) ACT, 2004  
LOI DE 2004 SUR LE RENFORCEMENT  
DES COLLECTIVITÉS (MODIFICATION  
DE LA LOI SUR L'AMÉNAGEMENT  
DU TERRITOIRE)**

Mr Duncan, on behalf of Mr Gerretson, moved third reading of the following bill:

Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l'aménagement du territoire.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Duncan.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'll be sharing my time with the member for Lambton-Kent-Middlesex and the member for Guelph-Wellington.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I also am pleased to share my time with the member for Guelph-Wellington. I'm happy to be able to say a few words about Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2004. This is a time for real, positive change in Ontario's communities, and our proposed legislation sets the foundation for that change. The proposed Strong Communities (Planning Amendment) Act, 2004, aims to strengthen our municipalities and create healthy and prosperous communities by, first, changing the Planning Act; revising the implementation standard for the provincial policy statement, which is our government's statement of its land use planning priorities; providing for the better protection of matters of provincial interest; and reforming an important aspect of the appeal process to the Ontario Municipal Board.

As you are aware, the Planning Act establishes the rules for land use planning in the province and describes how land uses may be controlled and who may control them. In December last year, this government took decisive action toward planning reform by introducing Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2004. The bill proposes to make changes to the Planning Act that will improve the land use planning system by making rules clearer and more consistent, ensuring the process is more accountable and

transparent, and giving the public more of a voice. We are going to put the public first by opening up the planning process, allowing more time for public scrutiny, boosting environmental protection and better protecting the public interest.

**1610**

The public should have a voice in how their communities grow and prosper. They have let us know their concerns about uncontrolled development and gridlock. They have also told us there is a need for more protection of the environment and preservation of the province's water and food sources. They have expressed concern about the planning process, that it is not keeping pace with the reality of a shifting environment as a result of population expansion, immigration and land development.

We are fully committed to ensuring that the proposed changes address those concerns. The proposed changes will help address immediate concerns about where we live, the food we eat, the water we drink and the air we breathe. They will help address unwarranted gridlock and long-term effects on the environment, green land preservation and rural protection. They will help build strong, safe, livable communities for the people who live and work in those areas today and those who will live and work there in the future.

In some areas, development pressures have resulted in some applicants bypassing local councils and going straight to the Ontario Municipal Board. There have been concerns raised by the municipal sector, the general public and the media that local planning autonomy and the integrity of the local planning process has been compromised where the OMB has issued decisions which override the decisions of elected councils. Our proposed amendments to the Planning Act will prevent developers from launching OMB appeals on urban boundary expansions that are opposed by their local councils.

Municipalities and other stakeholders have asked that the OMB, as an adjudicator of appeals under the Planning Act, be reviewed. In discussions held this past summer, stakeholders and the public were asked for their thoughts on the role of the OMB in the land use planning process. Their suggestions will be useful as we work toward an enhanced framework for planning in Ontario.

Good planning is just as important to business and the economy as it is to the environment and to making communities more livable. The proposed reforms to the Planning Act are important components of planning growth.

The people of Ontario have let us know their concerns, and we are listening. They want livable neighbourhoods that offer them a choice of accommodation. They want to be able to walk to the corner store for everyday necessities or to a nearby subway or bus stop for a convenient trip to work. They want to be able to get to their destination without spending hours in traffic. They want a healthy lifestyle where they can walk along the waterfront on weekends or spend an afternoon in a nearby park with family and friends. In rural areas, investors and

farmers want to have planning consistency from township to township and county to county. They want to be able to plan for the long term with some surety.

Our government is proposing planning reforms that will make this vision a reality and shape how communities prosper and grow. The proposed Strong Communities Planning Amendment Act, 2004, is just the first step. We have a broad agenda for planning reform but, within that, our goal is clear. We want balance and we want fairness. We want certainty for our citizens and for all those who have a stake in land use planning, developers and environmentalists alike. We want certainty for Ontario's planning system to let everyone know what must be protected and what may be developed. This will make good sense for our communities and our economy.

Investors want to invest with confidence where there is a sense of stability and security.

This government is committed to providing Ontarians with safe, clean, livable communities.

The proposed changes to the land use planning system support those commitments. A strong land use planning system would first support strong communities by giving people the opportunity to participate in deciding how their communities will grow and prosper.

Second, it will enhance sustainable growth through a check on urban sprawl, gridlock and the loss of our valuable agricultural lands.

Third, we will provide certainty to development by changing the implementation standards to be consistent with provincial policies that the government and the public feel are critical for good planning.

And fourth, the act will protect the environment by allowing development only in areas where it can be sustained.

The McGuinty government is proposing the Strong Communities (Planning Amendment) Act, 2004, to manage the rapid growth occurring in many parts of the province and to provide the legislative framework for good land use planning throughout Ontario.

We want to be prepared for the growth and changes that will be happening, not only today, but well into the coming years. Over the next 30 years, we have been told that central Ontario is expected to grow by more than 3.5 million people. If this trend continues, much of that growth will consume the farmlands that now grow the food we eat. The government recognizes the cost of doing nothing to prepare for the growth that is coming to central Ontario.

In the past eight years, local land use plans have been ignored, resulting in urban sprawl.

We understand that well-planned, managed growth can only lead to strong communities. Strong communities lead to a strong economy. And a strong and prosperous economy depends on a government finally making the commitment and the determination to tackle urban sprawl.

If we don't do something now, we will have more cars and trucks on the road, longer commutes, more pollution and more gridlock. We know what damage these

elements will cause to the environment, to the quality of life we all aspire to and to our overall health and safety.

The proposed Strong Communities (Planning Amendment) Act, 2004, would give people a real voice in the way their communities grow and prosper. If the bill were passed, we would be strengthening the communities in which we live and taking a step toward providing Ontarians with a quality of life that is second to none.

This government knows how precious our wetlands, green spaces and rural areas are. We know their value to the well-being of our environment, to our health and to the character of our province. We all want and need to get involved in land use planning that is more than just short term and land use planning that takes into account the needs of all Ontarians.

In some sectors of this province, we are experiencing the consequences of uncontrolled development, and our communities have let us know this has to stop.

The proposed act also demonstrates this government's commitment to openness and transparency. We are delivering real, positive change that will make Ontario strong, healthy and prosperous. We are delivering the promise of safe, clean, livable communities and a quality of life that is second to none.

As part of the Strong Communities (Planning Amendment) Act, 2004, the government is proposing to change the implementation standards for the provincial policies. We are going to be providing municipalities the tools to control urban sprawl. And we are going to have more public input into the decision-making of planning.

**1620**

We need to protect our prime agricultural land. Draft policies will provide stronger protection for long-term purposes, and this is one of the things that we have heard many times, even through our discussions in the greenbelt. We talk about preserving lands for agriculture. Farmers need to be able to plan for the long term. So in order to do that, they need to have some surety that their governments at the provincial and municipal levels recognize that need for long-term planning.

We are trying to limit through this act the encroachment of settlement areas and urban sprawl on that agricultural land. The draft policies will offer high-level guidance on the potential impact of development activities. That would include development activities within the agricultural sector as well. Again, we hear about issues such as livestock operations, and so those too are taken into consideration within the new draft policies.

I would also like to speak for a moment on the issue of provincial interest. The province is accountable to its citizens, and the declaration of provincial interests is a means to ensure that the viability and strength of Ontario's communities are maintained. The declaration power is not new. It existed previously, between 1983 and 1995, and was rarely used. The government realizes that provisions of the bill would probably apply to matters already underway in order to protect the interests of the public.



As I said earlier, the bill here is intended to involve the public more in the issues of planning for their communities. We have heard repeatedly from people who are also very concerned about the impact of the Ontario Municipal Board on the decisions made by local councils. So in that respect, the Ontario Municipal Board and its abilities are also under review.

We are trying to develop a province that will be second to none, that will be livable for all those who want to be here, for those who are here now and for those who will come to us in the future. Thank you, Speaker.

**Mrs Liz Sandals (Guelph-Wellington):** I'm very pleased to rise to speak in support of Bill 26, the Strong Communities (Planning Amendment) Act. I'd like to speak for a while about a few of the items that are contained in this act.

I'd like to speak first of all about the issue of urban boundaries. I think we need to set the stage a little bit in terms of how things work. If somebody comes forward with a proposal for a large, dense subdivision, as things stand, quite properly, you can only build a subdivision inside what are known as urban boundaries.

In my riding of Guelph-Wellington, the city of Guelph is obviously an urban area. So if somebody comes forward with a proposal to the city of Guelph, it should be inside the boundaries of the city of Guelph—reasonable enough—or it could be in a settlement area within a rural municipality. In my rural municipality of Guelph-Eramosa, the village of Rockwood is designated as an urban settlement area. So if you want to build a subdivision in Guelph-Eramosa, it should be inside that settlement area of Rockwood.

The way things work right now under the existing Planning Act, a developer can speculate, can buy up land on the fringes of the urban area, on the fringes of the city, and say, "Well, this isn't really in the city, but I'd like to build a subdivision. It's next door to the city." The developer can come forward with a proposal to build a subdivision by extending the municipal boundaries, the urban boundaries, the settlement boundaries. If the municipality says, "No, we're not going to accept that. This is outside the urban area. It's outside the settlement area. No, you're not allowed to build this subdivision, even though you've speculated on the land," the way things stand right now, the developer can appeal to the Ontario Municipal Board, the OMB, and the OMB has the power to overturn the decision of the municipality and say, "Municipality, you're going to have to expand your boundaries and let this person, this developer, build their subdivision." We think that's wrong, because what that leads to is unplanned growth, on the fringes of urban areas, on the fringes of settlement areas within rural communities. We don't think the OMB should be allowed to overturn the quite proper decision of local councils. So one of the measures in Bill 26 will stop the practice of allowing the OMB to overturn quite proper local decisions about expanding urban boundaries just because some developer decided it would be a good way to make money. Bill 26 would remove the right of appeal to the

OMB by developers when they want the municipality to extend urban boundaries and the municipality has said no. That's one of the items in this act.

Another item that's in this act is the decision standard with respect to the provincial policy statement. What's in the provincial policy statement? Well, the provincial policy statement lays out within the Planning Act those areas which you might think of as provincial guidelines for good planning. It would cover things like managing growth properly, redevelopment of brownfields, intensification, protection of water sources, looking at protection of the most productive agricultural land from development, and in fact making sure that a municipality is required to have some land available for development. It covers a number of things that are provincial guidelines for how one should do appropriate planning right across the province.

The problem is this: While clearly it is the intent of this Legislature that the provincial guidelines for good planning for growth should be followed, that's not actually what the law says right now. What the law says right now is that municipalities "should have regard to" the provincial policy statement. Think about what that means. In law, "should" means something like, "It would be a good idea if you did this. It would be something that you could do," but it doesn't absolutely say that you have to do it. "Have regard to" means, "You should think about this, because it's a good idea." It doesn't say that you have to follow the guideline.

Essentially what the law says right now is that a municipality should think about paying attention possibly to the provincial guideline, which means that a municipality quite properly, the way the law is currently worded, can say, "Well, we have this proposal before us, and it doesn't follow the provincial guidelines. We sort of thought about it, but we decided not to follow the provincial guidelines." Under the current law, that's acceptable.

If Bill 26 is passed, the new wording is going to say "shall be consistent with." What does that mean? In law, "shall" means you have to. "Shall" means, "You must do this." Whatever it is you shall do, you must do it. "Be consistent with" means that you have to follow the guidelines. Whatever planning solution you come up with for the particular proposal needs to be consistent with, needs to be in compliance with the provincial guideline. What we're saying here is that instead of having the situation we have now, where we have a patchwork of compliance, where a municipality may follow the guidelines on some decisions and may ignore them on other decisions, what will happen if Bill 26 is passed is that every municipality must follow their planning process and the provincial policy guideline rules.

**1630**

We're also changing the timelines in the act somewhat to assist municipalities. Currently, the provincial Planning Act says that within 65 days of getting a proposal, a municipality must have a public meeting, and they've got to send out the notice for that meeting within 45 days.



Saying that there must be a public meeting about planning proposals and that you must give the public due notice of that are perfectly good ideas. The problem comes in with those deadlines, because what will often happen in a municipality is that they'll get a whole bunch of proposals that are tabled all at once and they simply don't have the capacity within their planning staff to deal with them all within those timelines set out in the act.

What we are proposing is that a developer can no longer appeal to the OMB just to move forward with the proposal if those deadlines are met. What we're saying instead, if Bill 26 is passed, is that the municipality can extend those deadlines to notify the public and to hold a public meeting. What we think is most important is that the municipality has an opportunity to do good planning, good preparation, a thorough examination of the proposal before they go to the public meeting. We think the important thing is not the timelines per se but the actual planning process and the public meeting where the public can get involved. So we're changing the wording around those timelines so a developer can't sort of go, "Gotcha," and move directly to the OMB.

Along with this and a number of other proposals which, as my colleague mentioned, will allow the province to step in when there is a provincial interest and will provide the minister with some authority to make regulations so that there can be a proper transition from matters being dealt with under the old rules to matters being dealt with under the new rules, Bill 26 will provide a more orderly process, which is in the public interest.

I think what is important about all this, regardless of whether or not you're somebody who needs to be concerned with the technicalities of the act, is that you need to be concerned with the principles of the act. The fundamental principle of the act is that we want to make sure our province grows in an orderly manner, that it is with due regard to important public interest, and that the public can get involved in the process, let their municipal councillors know what is going on, and give an appropriate level of autonomy to municipal councillors. So I will certainly be supporting Bill 26.

**The Deputy Speaker:** Questions and comments?

**Mr John O'Toole (Durham):** I do want to comment just for a moment before our party responds officially with our critic, Tim Hudak. I look at the Planning Act, having served on local council—it's really out of respect for the work that both local and regional or upper-tier governments try to bring to their people and to their constituents. It's long been a controversial issue, the policy statements by the provincial government. The NDP, in their planning, the Sewell commission report, started the debate some time ago, in the 1990s: the issue of the policy statement, what actions the local level of government had to take, and whether they would be consistent with the provincial policy statements or not.

Clearly, I think the current Liberal government is sort of social-engineering everything. I see this not only in this Bill 26, but in other bills, where they're sort of social-engineering, micromanaging, telling municipalities

and small-town Ontario what they can and cannot do. I see the same thing happening in the greenbelt legislation. There is no "one size fits all" for every small piece of property or municipality in Ontario. I still believe that this exempts the power of or threatens, certainly, the autonomy of local levels of government when it comes to following solid planning principles. Not to say that they shouldn't follow solid planning principles, but how can the minister sit in his big ivory tower in Toronto and tell small-town Ontario like Blackstock or other small communities—like Orono, for instance, is part of the greenbelt—and then refuse to give them any autonomy when it comes to what is inside the boundary and what is outside the boundary?

So I'm disappointed in this legislation. It's far too restrictive for government at the local level. It doesn't respond to the people's needs in the province of Ontario—once again, a government that tells you how to behave.

**Mr Gilles Bisson (Timmins-James Bay):** I have just a couple of comments. I guess one of the things that this bill does that I actually agree with and think is not a bad idea is that it undoes some of the harm that I think was done by the previous government around some of the changes to the Planning Act.

To my friends in the Tory opposition, I just want to say that I never liked the idea of shortening the amount of time that was required for the public to be able to indicate its displeasure or its pleasure with a particular aspect of the official plan of a municipality. The government of the day—and I understand why they did it—the Conservatives, said, "The Planning Act and everything around the Ontario Municipal Board takes way too long"—that was their thinking—"and what we need to do is to cut through the red tape. We've got to allow applications for development basically to just sail through the planning process as quickly as possible, so we can restore the economy of Ontario."

That sort of was the speech of Mike Harris; I remember those speeches. I understood what the government was getting at, if that's really where they were going, but the problem is that a lot of these planning issues are fairly complex and fairly controversial to municipalities. Often, people don't find out about these things until it's pretty late into the process. I've always been one who believed that at the end of the day you have to give people what is a reasonable and adequate amount of time to be able to present to their municipality or, if need be, to get to the Ontario Municipal Board. So far, of that part of the act, I think that makes some sense. Now, the thin edge of the wedge is how much time you should give somebody.

The other thing is, though, and I don't see it in this bill, and I'm not going to vote against it because of it, but the whole issue of introducing the threshold of what they call vexatious—what do they call it again? The Tory government put in place that if you made an application that was frivolous or vexatious, you would not have an opportunity to even get standing. You know, who the



heck is to determine what is frivolous and vexatious? Determined by one may not be the same for the other. I just thought that would have been something that could have been introduced in this bill.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I'm pleased to follow on the leadoff by the members from Lambton-Kent-Middlesex and Guelph-Wellington, and in particular, the comments around expansion of urban boundaries. I think it needs—I wouldn't say repeating, but can you add to the framework?

Let's understand, this involves primarily the developer-led official planned amendments that will expand or create new urban settlements. It doesn't in any way take away the rights of municipalities and their communities to propose through that process the opportunity, if they see it as appropriate, to expand their urban boundaries or to create new settlement area. That's led by the community. That's led by the local council or the regional council in a two-tier system or by a city in a single-tier scenario.

I want to give you just an example or two, in the bit of time we have, of situations where developer-led expansions and/or new settlement areas have cost municipalities hundreds of thousands, if not millions, of dollars. I want to go back a few years and use an example in the town of Whitby, where the town was not enamoured with the prospect of major expansion in Brooklin, at Highway 7 and Highway 12 in Whitby. They weren't enamoured by it because it would have demanded the delivery of expensive infrastructure, water and sewer capacity, so they turned down an application by a developer for growth of about 10,000 people.

The Ontario Municipal Board got hold of this, as a result of a developer-led proposal, and the OMB at that time actually approved a revised application for some 25,000 people without the engagement of the local municipality. Now, if there was an example of a pure abuse of the system, that was it. Brooklin is developing as a wonderful community, but the pressures on the local municipalities were substantive.

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**Mr Michael Prue (Beaches-East York):** I only got to see a few minutes of the comments, watching it on television downstairs, and I came running up, because I had expected the government to spend its full hour. Obviously, you didn't have an hour's worth of stuff, even combined among three people, to do that.

We have stated as a caucus in the past that, in fact, this bill is a good bill. I would commend the members for speaking in favour of the bill. But when it is my turn and opportunity to speak, I will be speaking of some of the reasons I am a little heartfelt about what went on in committee because, quite frankly, this could have been not just a good bill but a great bill. It would have needed only a few small, minor changes that would have protected the environment, that would have given municipalities a greater influence in how they handle the Planning Act, a few small changes to how the OMB might have operated, a few small changes that would

have decreased ministerial authority and brought the authority back into the bill and to those who are running the legislation.

Although I commend the government for its bill, I want to express again, and I will during my 20-minute speech that I hope to make later today, that I do wish to reiterate that the role of opposition is one of trying to make improvements, not always of opposing. The government should be spending a little more time, I believe, in listening to what those improvements or improved areas might be and, if they're in agreement, not necessarily voting them all down, as has been the case in far too many bills in this legislative session. I'm hoping they will listen and carefully act and do what is right, not only to have good legislation but to have great legislation.

**The Deputy Speaker:** Two minutes to reply, the member from Lambton-Kent-Middlesex.

*Applause.*

**Mrs Van Bommel:** I don't know what that clap was for, but I will jump to attention.

I want, first, to thank the members for Durham, Timmins-James Bay, Pickering-Ajax-Uxbridge and Beaches-East York for their comments. In particular to the member from Beaches-East York, I'm happy to hear any suggestions for improvement on this bill, and we are certainly open at this stage to continue to do that. I understand your concerns about the Ontario Municipal Board and can assure you that that is under review as part of the process that goes along with this bill.

I think one of the important things about this bill is the issue of consistency. As a farmer in my community, I have owned two farms in neighbouring townships. One of the issues that has always been a real problem for farmers was that when I wanted to do something on one farm, I had to check with the municipality because I couldn't be quite sure what the rules and regulations were going to be, compared to what I could do on another farm.

What that did in our area—and that's a consequence of the "shall have regard to" clause in the provincial policy statement—was that you had municipalities that were farmer friendly and you had municipalities that were not. What would happen was, farmers would all go to the farmer-friendly municipalities and you would have issues of a large number of livestock operations springing up in one municipality and not in another.

Consistency is very important for agriculture in terms of planning for the future. I see this bill, going back to the phrase "shall be consistent with," as giving us that.

**The Deputy Speaker:** Further debate?

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to respond on behalf of the official opposition as we set out on third reading debate of Bill 26.

I had the honour of addressing the Legislature on this bill, Bill 26, upon second reading. I don't have my notes on my desk of the exact date, but a few months ago this Legislature considered Bill 26 at its second reading and then went into committee to suggest improvements, which is right, as members of all three parties—my

colleague from Beaches-East York spoke about some amendments that he would have brought forward in his caucus to make an even better bill. I'd ask Beaches-East York if any of those amendments were accepted by the government.

**Mr Prue:** Not one.

**Mr Hudak:** So, sadly, not a single amendment from the third party to improve Bill 26, as it came back to the House for third reading, was accepted. I'm sure they had more than one amendment. They probably had a series, if I recall, of amendments to Bill 26, but unfortunately, every one of those amendments was voted down.

I'll ask Beaches-East York again, did you have any votes from the government members in support of the proposed amendments?

**Mr Prue:** Not that I'm aware of.

**Mr Hudak:** He indicates that he doesn't think so—not that he's aware of. Not a single member of the government found any of the amendments brought forward by the third party to be acceptable. I find it regrettable that there was no compromise at the committee. Surely there must have been one amendment, at the very least, that the third party brought forward that at least one member of the government caucus thought would improve the bill. I know Beaches-East York. I've served in the House with him and his colleagues for a number of years, and while I expect I wouldn't agree with all of their amendments, I would expect them to be reasonable amendments to the legislation.

Sadly, I need to say the same thing transpired with the amendments proposed by my colleague and then-municipal affairs critic, the member for York North. I do need to take the time, as part of my remarks, to commend the outstanding work of my colleague and actually my bench mate here, the member for York North. Certainly, York North had some personal challenges that we're aware of in the last year or so, and showed extraordinary strength and perseverance in her recovery and maintaining her duties as a legislator in this House and being on committee and bringing forward a series of very well-considered, well-worded and well-argued amendments to improve Bill 26.

My understanding of what happened at committee, though, was similar to the experience faced by Beaches-East York with his amendments: that while the members were polite enough to listen, which is appreciated to an extent, not one of the government members on that committee voted in favour of any of the amendments proposed by the official opposition to Bill 26. I know there were a considerable number of proposed PC motions and amendments. In fact, we have some copies of York North's arguments in support of those amendments. But as I said, not a single one was accepted by the members opposite.

I know my friend and colleague from Pickering-Ajax-Uxbridge—sometimes, with the Durham area ridings, which communities fall into which riding—

**Mr Arthurs:** Just think of it all as Durham.

**Mr Hudak:** We had the Durham Js, actually, as we used to call them, in the 1995 and 1999 elections. Well,

unfortunately, not all the Durham Js returned. A good number did return, which is appreciated by the official opposition. We lost an excellent colleague and friend who had represented that riding and served this province very honourably as our Minister of Finance, Minister of Education and Minister of Community and Social Services. I know she is doing very well in retirement, staying involved with politics but also probably enjoying some more time with her husband, Derek, and family.

But back to my point: I do appreciate that Pickering-Ajax-Uxbridge did vote in favour of one of my proposed amendments to Bill 27.

**Mr Arthurs:** The amendment to the amendment.

**Mr Hudak:** The amendment to the amendment. Sorry; he's right. He corrects the record. He amended my amendment, which we agreed to and put to a vote. While members of the opposition and the third party, if I recall, supported it, and Pickering-Ajax-Uxbridge did support it, sadly, the other members of the caucus did not. So I do appreciate the fact that he was helpful and tried to improve one of my amendments to then-Bill 27. But it's rare, and he's a bit of a rare creature in that caucus—I mean that in a very positive way.

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**Mr Prue:** He used to be a mayor.

**Mr Hudak:** Certainly, I think that because of the fact he was mayor of the beautiful community of Pickering for some time—I believe that's in Hansard from our discussions on estimates; the member talked quite a bit about his experience in municipal affairs. Maybe because of that background as a mayor and as a councillor, he understood that improvements needed to be made to Bill 26 and Bill 27 to better reflect the views of municipal politicians.

One sharp criticism that we in the opposition are making, and I believe it's supported by the third party, is the sad disrespect for municipal decision-making shown by clauses in a number of government bills.

Certainly there was a lot of lip service in opposition, from then opposition leader Dalton McGuinty, to support decision-making at a municipal level. There were certainly a number of promises, which we could enumerate, about enhancing the responsibility of municipal politicians, but actions to date in this Legislature—in bills, public comments and initiatives by the Dalton McGuinty Liberal government—have belied what they said in opposition.

They've done the opposite of what they committed to do. Sadly, that's a pattern. I think we ourselves have calculated about 37 broken promises, maybe more. You can go back to, "I won't increase your taxes," a broken promise. You can go back to "I'll stop all the housing on the Oak Ridges moraine," a broken promise, and reducing auto insurance rates by between 10% and 20%. We know all of these. We've talked about them in the Legislature. But if you pick out a theme among the broken promises, one such theme would be reducing, as opposed to empowering, the authority of municipal politicians.



I listened with interest to the comments by the parliamentary assistant from the riding of Lambton-Kent-Middlesex and her colleague the member from Guelph-Wellington, who seemed to indicate that this respects municipal authority. I'm going to argue the opposite: Bill 26 significantly restricts the authority of municipal decision-makers.

You made one point in terms of the urban boundaries of municipalities. Fair enough. I think that argument works in your favour. But the ability of the province, and particularly the minister, to declare a provincial interest in hearings before the Ontario Municipal Board without, if I understand and recall, any notice, without any reasons given, and bring those hearings back to Queen's Park to make a closed-door decision at the cabinet level runs completely opposite to empowering municipalities. I'll get into this in greater detail.

Certainly, when you change the language in Bill 26, with respect to the provincial policy statements, from "have regard to" to "be consistent with," this is almost a verbal straitjacket on municipal politicians and their flexibility, their ability to make decisions. I'll explore that a bit later. I spoke extensively about that in the second reading hearings of this legislation, and I know my colleague from York North did so similarly, but unfortunately there were no changes.

As I said, the member from York North brought forward a series of amendments—Beaches did as well—and not a single one was accepted by the government members, which means, in reality, that the Bill 26 we have before us at third reading is primarily the same creature that was before us a few months ago during second reading.

As such, I had a series of criticisms about the bill, as did my colleagues here and my colleagues in the third party. Seeing that these criticisms have not been responded to, not in a substantive way or in any way whatsoever, leads me to conclude that the government was not interested in listening to our suggestions on a bill that we criticized as being an inadequate response; a bill that is usurping additional powers from municipalities to take up the provincial level; and a bill, in combination with other bills like Bill 27, Bill 135 and Bill 136, that may have, whether it's intended or not, the consequence of significantly limiting development in the province of Ontario, whether that's on the housing side, whether that's on employment land, but limiting economic opportunities in municipalities, particularly small-town municipalities.

It's an interesting juxtaposition, too, in that the government has brought in Bills 26, 27, 135 and 136, sort of a series of bills, a family of bills, that take away power from municipalities, from municipal decision-makers.

Secondly, while the opposition proposed a series of amendments to both 26 and 27—and we will to 135 and 136 as well—not a single one was voted upon. I think that would make the average viewer at home, whether through Hansard or through television, who sees the government members voting unanimously—with the excep-

tion of Pickering-Ajax-Uxbridge on one occasion—against opposition amendments all the time, think that the votes were whipped, that members are not voting consistently with the views of their ridings. We don't think we've had a single Liberal member vote against a government bill on first, second or third reading, nor a single Liberal member vote against a government amendment, that I'm aware of, at committee, and, with the exception of Pickering-Ajax-Uxbridge, we're not aware of government members who have supported an opposition amendment to a bill.

The other day, Premier McGuinty and his Attorney General announced a democratic reform initiative to potentially change the voting system in the province of Ontario, perhaps, as the media reports indicate, as soon as 2007. Our leader, John Tory, and our critic, the member for Lanark-Carleton, I think responded rightly and said, "What really undermines people's faith in the democratic process is politicians who say one thing and then do something completely different when they're in office." We have certainly seen that from day one with the McGuinty Liberal government, that there is a series of broken promises. I know you'll have your reasons, explanations: It's not really a broken promise, or your hand was forced, or such. But I think if you ask the average woman or man on the street, whether it's in Beamsville or Fort Erie or Toronto or Kapuskasing, they're all going say that one of the first things that pops into their mind about Dalton McGuinty is that he's a notorious promise-breaker, I think, the likes of which we haven't seen in this Legislature in a long time, certainly not in recent memory.

It's interesting that they're pulling authority away from municipalities under Bill 26, taking it to the provincial level, a level of government that has really not brought a lot of trust upon itself—in fact, probably the opposite, with all these broken promises. At the same time, they're launching a democratic reform initiative to try to get people more active in the political process. I suggest people would have more faith in the political process if politicians, particularly this group, kept their promises. If they saw some members of the Liberal government caucus occasionally voting against a piece of legislation, or occasionally voting in support of one of the amendments brought forward by the opposition or third party, they would say, "You know what? There's my friend from Peterborough. He's standing up for Peterborough, as opposed to toeing the party line." I don't mean to pick him out particularly, because I know there are a number of issues, including the floods in his area, that he's been fighting for.

I think there's a skepticism about the political system because they see, as some of my colleagues will say, the trained seals who will rise and vote, no matter what the occasion, in support of the Premier. A classic example of that was that a number of members said they were upset by the delisting of chiropractic care, physiotherapy and optometry under the budget, the infamous budget, where taxes were raised significantly under the guise of



improving health care. Certainly, people will be paying more for their health care and receiving less in services, particularly if they use a chiropractor, a physiotherapist or an optometrist. We had a number of members of the government caucus who said that they were opposed to that initiative, that they were going to fight that delisting, that two-tiered care that patients of chiropractic or physiotherapy or optometry now face. But despite that, when the vote was called, not a single member, not one single member of the government caucus, rose to object, to fight that proposal. So that's where the cynicism comes from.

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Certainly, I think a lot of municipal politicians, municipal leaders, are going to look with a jaundiced eye upon significant parts of Bills 26, 27, 135 and 136 and call into question whether they have faith in the current group of decision-makers to make the right call, when they have seen them backtrack on an enormous number of campaign promises and when they haven't seen any of the Liberal government members bucking the trend and voting for the ridings as opposed to the wishes of the party whip. If they really, truly were committed to democratic reform, to helping reform this institution to a greater extent, I would say that we would see members not always voting the party line. From this caucus, you've seen us express different views, depending on our personal perceptions or ridings, on different pieces of legislation before the House today. That's why, I think rightly so, AMO and municipal leaders have taken issue with large parts of Bill 26 and the overriding of powers of municipal leaders in favour of greater powers for the Minister of Municipal Affairs and his cabinet colleagues.

There's a number of areas that I will address in my remarks. First, the legislation is inconsistent with the goal offered during the campaign of empowering municipalities. In fact, it does quite the opposite in two—or more, but two—particular areas of great concern.

There's a concern expressed by some stakeholders to this bill, and it wasn't adjusted in any way that I'm aware of. By extending timelines for comments by municipalities, some stakeholders have said during public hearings, tension is removed from the system.

Third, the legislation, through the extraordinary powers of the minister, centralizes too much power in the hands of provincial politicians, at the loss of municipal politicians' making zoning or urban boundary calls. I think a grave concern is that this may result in the politicization of our urban planning system in the province. If local zoning issues or local bylaws are called up to the cabinet level, whether that's for a town the size of Mississauga or a town the size of Dunnville, a great concern is that it will be politicized at the provincial level and good decisions on local planning and zoning will not result because of these changes.

The fourth concern is similar: The legislation will take the openness of an OMB process, where there's a clear and open debate, discussion and decision—will take that more transparent process and put it behind the closed

doors of cabinet, where, if any information comes out, it's about 20 years later. So what went into a particular decision at the cabinet level will not at all be transparent to the stakeholders involved and, I think, unfortunately, will undermine the faith that active local municipal leaders, developers or citizens' groups have in our political system. Transparency, you would think, would be something this government would try to promote, but sadly, this bill takes that transparent process behind the closed doors of cabinet.

The fifth area of concern that we have expressed in debate in the Legislature and at the committee is that this is just another example of, "the provincial government knows best." Certainly, and I'll get into more detail, a number of bills show a very—what's a proper term for it?—interventionalist approach that, if there's a problem in Ontario, then it can always be solved, first and foremost, by provincial legislation or action. I don't think the average person in Ontario agrees with that, that it is always the case that the province should act to address concerns directly, first and foremost, through legislation or regulation. There may be better spheres of decision-making; there might be better solutions to the problem.

Just a couple of examples that come to mind: In short succession, the Minister of Health came out and announced that he was banning sushi in the province of Ontario. That got a lot of strange reactions, not only here in the Legislature and in the press, but across the province, as to why it was a priority. That was followed, I think on the same day, by the Minister of Education coming out, beating his chest and saying he was going to ban gummi bears in the hallways of schools across the province, and of course the Attorney General's vehicle to get his face back on television was the pit bull ban which, by the way, like Bill 26, tramples on municipal decision-making and municipal authority. I'm not even clear that they have adequately answered AMO's concerns with this legislation. There are three examples of a paternalistic, sort of Dalton-knows-best approach to the issues of the day.

Many municipalities would simply say they have handled dangerous dog legislation for some time. Regional or county upper tiers could talk, I think very eloquently for a long period of time, about their ability to enforce public health guidelines. Certainly the important role of parent councils in determining what goes on inside or outside schools and what kind of activities to encourage seems to have been ignored by this government for a more activist, Dalton-knows-best approach. Bill 26 certainly fits that particular theme.

Another item I don't recall being addressed by my colleagues the parliamentary assistant or the member for Guelph-Wellington is the retroactivity of this legislation and impacting decisions that have already taken place and are moving before the OMB. Retroactive power is probably the strongest, and only to be used in extreme circumstances. So it's not at all clear why the government has moved in a number of pieces of legislation, including the so-called Adams Mine Lake Act, with such



fervour for retroactivity, basically changing the law that existed at the time of decisions to a new law today. Certainly that runs against a lot of democratic principles and seems to clash with this notion of democratic reform. I think it's an objectionable part of Bill 26, which we have raised in this Legislature.

I think there's a bit of fatigue, too, in the so-called swinging of the pendulum from municipalities. I think municipalities, all in all, would just like to have clear rules, clear lines of decision-making and then move forward with their local decisions based on provincial principles.

There have been a number of attempts at planning reform. I'll give you some background: in 1967, centennial year, MTARTS Choices for a Growing Region; followed in 1968 by Design for Development, another government province-wide planning initiative; of course, the Toronto-Centred Regional Plan of 1970 has some reference for Bill 27 and Bill 135, and we'll probably talk about that a bit later on; the Creation of Regional Governments in 1974; the Central Ontario Lakeshore Urban Complex of 1974; and then something I don't know much about, the Comay Planning Act review committee—I hope I pronounced that correctly—in 1975; the Planning Act white paper of 1979, another round of consideration and consultation; the new Planning Act of 1983; in 1992, the GTA Vision—Nodes and Corridors; the infamous Sewell commission of 1993, which created a great deal of debate inside and outside this Legislature because of the top-down, province-knows-best approach, which we're seeing repeated in many respects in Bill 27.

I talked about this in second reading debate, and I haven't heard anybody counter the argument: The thickness of restrictions on planning we saw in the Petersen-Rae days, the limits on municipal decision-making, the limits on the ability of land to be put into housing or employment were so restricted, among other things, including significant increases in taxes, that the development industry in Ontario was pretty close to death as a major employer, a major source of good, well-paying jobs, a major source of revenue growth for municipalities and an important place to house our young as they move out of home for their own home and immigrants coming into Ontario because they want to live and work in this leading province. But the industry really had been strangled by overregulation, an overburdened province-knows-best framework coming down on municipalities.

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As such, in 1995, when the Mike Harris Conservative government was elected, that was one of our targets, to try to bring back balance on local planning issues. As a result, we've seen the biggest boom in the housing market, in the development market. In fact, what probably kept us alive through some very difficult times post-9/11 was the strength of that industry.

Our initiatives in that regard—I remember Bill 163 and the comprehensive set of policy statements in 1995, and then Planning Act reform, Bill 20, in 1997. Under Minister Hodgson, the Smart Growth planning process began—the central Ontario panel, for example, in 2003.

A large part of that, I think, underlies my colleague the Minister of Public Infrastructure Renewal's planning-for-growth approach, entitled Places to Grow. There are some things that I'll argue with the minister about in that regard, but I think an important portion of that was the work of Minister Hodgson, and after him Minister Young. Then of course in 2003 we had the planning act, Bill 26; of course Bill 27; and now about three weeks ago Bills 135 and 136 in these two areas. And we do anticipate something from the Minister of Transportation in the near future for the Greater Toronto Transportation Authority, to talk about where the future transportation corridors are going to go.

So it's certainly a very active file by the McGuinty government. I do believe there is some fatigue in the pendulum swinging back and forth from the municipal sector in particular, and not only that fatigue, but I believe there is concern that we're going back to the Peterson-Rae days of heavy burdens coming down from the province restricting local development decisions and local decisions by municipal politicians.

One area that I had spoken about as well was the importance of having the provincial policy statements out as part of the Bill 26 consultations. You may recall that under the previous Progressive Conservative government we began consultations and updating the PPS in 2001, I think, as part of a five-year review; extensive consultations with the public, municipalities and other stakeholders. There was input by diverse stakeholder groups indicating, overall, that the structure, length, and layout of the PPS were generally sound. It provided some suggestions for some revisions to the PPS, including a bit more direction for policy areas in the environment, Smart Growth, and the balancing of provincial interests. The process began under our government. A new government comes in and they want to make changes or take credit for the work that was done previously. It would have been ideal to have the full PPS going hand in hand with the Bill 26 consultations. If you're asking municipalities to be consistent with the PPS, it would have made sense for municipalities to know exactly what they said. So it's a bit regrettable that the PPS were not out there at the same time with the committee for consultations, but we will move on from that.

To an extent, it was a bit of the cart before the horse, asking municipalities to agree to a very stringent set of rules to be consistent with the PPS at all times. Even municipalities will tell you of a number of areas where the PPS will likely conflict, so how you can be consistent with two conflicting provincial policy statement items is something I guess municipalities will have to wrestle with. I know that AMO has shown a concern about using the language of "consistent with" as opposed to "having regard to," or some sort of compromise language that may not have then bound the municipalities or given them unrealistic marching orders to be consistent with PPS that could be in conflict.

I know my colleagues talked a bit in their opening remarks on third reading of Bill 26 about the importance of protecting green space for generations to come. It's a



goal that we in the official opposition share as well. I'm very proud to have been part of a government that brought in Lands for Life and Living Legacy initiatives, which was the greatest addition to parks and protected areas in the history of the province of Ontario and, I think, above and beyond all of the provinces.

**Mr Ted Chudleigh (Halton):** It almost doubled the land.

**Mr Hudak:** My colleague from Halton says that it practically doubled the land under permanent protection. I will say that my colleague and friend from Halton should know of what he speaks, because he has been a leader in our caucus in this regard, for his personal work in promoting the Great Lakes Heritage Coast, for example, and his consultations in developing that plan for long-term—well, permanent—protection and enhancement of the coastline along our Great Lakes.

**Mr Chudleigh:** Not just the zoning, but enacting a piece of legislation.

**Mr Hudak:** He says not simply zoning, but actually enacting that legislation, putting a plan into place with some funding as well. So not just simply dictating to municipalities "thou shalt" through simple changes in the Planning Act, but actually putting forward a well-thought-out plan backed up by funding to make sure the Great Lakes Heritage Coast would be a success for generations to come and, in fact, in perpetuity. So I commend my colleague from Halton on that.

With respect to Bills 26 and 27, if you were really concerned about protecting green space similarly in perpetuity, then you would put some money where your mouths are. You wouldn't confine yourself simply to land use approaches, to regulation from cabinet down, but you would actually have the economic levers moving hand in hand with the zoning changes. You would have your plan for highways, roads, hydro corridors, where they're going to go, laid down on top of the greenbelt, for example. You would have your plan to support farmers to make sure that land in production currently stays economically viable and, in fact, gets better.

As part of the 30-year vision, why wouldn't you push for even stronger farms, leading the world in research, leading the world in production, leading the world in quality, that would be the first choice of Ontario consumers, and then, after that, the first choice of American or other Canadian or international consumers? You can't simply wave a magic wand and say that farmland is going to stay in production; you need an economic support plan to encourage viability of farms. If you want to save the farm, you need to save the farmer.

That's what I'd like to see more of, that kind of discussion from my colleagues opposite when they're talking about preserving green space. It's not simply an exercise in land use planning. You need the economic levers. You need places where there will be growth in the future.

A grave problem we have—a big concern—is you have three ministers working on three different sets of initiatives. I hope they sit next to each other in cabinet, because it's very important to get each aspect right. A

suggestion I would have for my colleagues across the floor is to do consultations on those three items all at the same time. Municipal affairs is working on Bills 26 and 27 and then, after that, Bill 135, which is really the land use requirements. Then you have the Minister of Public Infrastructure Renewal with his Places to Grow strategy in Bill 136 that will really tell you where the future places to grow are, and I think will help to address—I hope—issues like leapfrogging, where you're going to lay down—

**Mr Chudleigh:** Are they in the greenbelt?

**Mr Hudak:** The frogs?

**Mr Chudleigh:** No, no. One thing is, they want you to grow, and the other thing is, they want to preserve—

**The Deputy Speaker:** I appreciate the debate between members, but the Chair would like to be included in it from time to time.

**Mr Hudak:** I appreciate your advice, Mr Speaker.

I think the member for Halton has a lot of expertise in this area because of his success with the Great Lakes Heritage Coast. Recently, he brought forward a resolution for debate as part of private members' business for a long-term land acquisition strategy for permanent preservation, and he should be commended for that. He makes a valid point in support of mine—he'll speak to this bill later on, I'm sure—that if you truly want to preserve green space, it goes beyond simply land use policy. You need the economic levers. If you're approaching future growth and preserving green space in the GTA, my suggestion and my preference would be to look at that in one fell swoop. So you have the Minister of Public Infrastructure Renewal's growth plan, you tie that in with the Minister of Municipal Affairs' greenbelt strategy and, of course, my friend the Minister of Transportation's GTTA bill, which we expect hopefully sometime soon for consideration.

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It is very difficult, and I think it's going to lead to great confusion and is going to cause the Minister of Municipal Affairs great headaches, to do those things separately. I think people want to see the greenbelt; what is to be protected on top of that; where the corridor is going to go for future growth to make sure goods get to market, that people can get to places quickly and efficiently; where the future hydro corridors are going to go; where the future growth is going to be in the province of Ontario; and of course, laid over top of that, as well, the work of the GTTA to see what the plan is to support both highways and transit and if that is going to have some teeth. We look forward to that.

My suggestion would be not only for the three ministers to sit together in cabinet, but to bring forward one comprehensive package that, I would argue, the smart growth approach of the previous government represented; that you looked at the growth, you looked at the conservation and you looked at the transportation and hydro strategies as one big piece. I'll talk more about that later on.

Of course, the Minister of Agriculture has a very important role to play in that farm viability plan.



So in response to my colleague's comments earlier about the preservation of green space, sure, you can use the provisions of Bill 26 to stop expansion of urban boundaries without municipal politicians voting for such. You couldn't take that, if you were a developer, to the OMB. Fair enough. But that's just one small piece of what should be a more comprehensive approach to preserving green space.

As I began saying, I was very proud to be part of the government that did just that in our Living Legacy and Lands for Life initiatives, our Great Lakes Heritage Coast, as part of that process, and our Oak Ridges moraine legislation, which was recognized by the Environmental Commissioner and was award-winning in its approach to balancing the growth and the preservation of green space—something we should be very proud of—and, of course, part of the Progressive Conservative Party that had brought forward the Niagara Escarpment Commission and its plan, both in the early 1970s and then when the plan was revisited sometime in the 1980s. I think we began under Frost and finished under Robarts the Bruce Trail system, which we, the residents of Niagara and—well, all the way from Niagara Lake to Tobermory—do enjoy.

I think we had a very smart record, a very positive record, worthy of boasting in that regard. I would advise my colleagues opposite to, if they want to live up to a similar standard, address the green space issues comprehensively; make sure it's a plan that's actually going to work.

If municipal politicians will play a greater role in setting their urban boundaries as part of Bill 26, why don't they have the same authority in Bill 27? Why do you have one approach in Bill 26, but in Bill 27 the ability to change urban boundaries is eliminated for municipalities? Maybe there's a good argument, but it seems inconsistent that while my colleagues boast that they're giving municipalities more authority, what they give on one hand, they take away several times on the other through those provisions of the greenbelt legislation and through the further provisions of Bill 26.

Let me get into a bit more detail about the debate of "have regard to" or "be consistent with," or if there's a third option for something like "conform to," by way of example. Maybe there's some middle ground that would not have been so restrictive on municipal decision-making.

Here's a quote from Hansard that was part of my leadoff on second reading of this bill, Bill 26:

"Another problem with the language 'be consistent with' is that often there are going to be competing uses for land. There isn't a single way to approve a planning approach; there are ways of doing so. The PPS will deal things like economic variables, social variables and environmental variables, and on occasion they will be in competition."

Why the lack of faith in municipalities to find ways to "have regard to" the PPS or to "conform with" the PPS, as opposed to binding them in with the strict language that goes back to the NDP days: "be consistent with"?

An aggregate site could be an example. You would have one part of the PPS that would talk about the importance of aggregates as a resource. If you are truly going to move ahead with important highways like the mid-peninsula corridor through Niagara into the GTA, you're going to need a steady and a proximate supply of aggregates.

On the other hand, part of the PPS may talk about environmental protection. There will be times—for example, on this occasion—when different aspects of the PPS will be in competition. I'm curious how you could "be consistent with" two things that may say the opposite. If the municipal council had the ability through the language "have regard to" or different language that might have been preferable to municipalities, then why not adapt that approach? If you have faith in municipal decision-makers, why not let them have the ability to examine different ways of meeting the expectations set up by the province through the PPS?

The town of Caledon made some presentations on Bill 26. The town of Caledon said that the increased ability of the province to intervene in local planning matters was an area of concern. They note concerns regarding the province's preference toward aggregate extraction while Caledon seems to have other priorities, other values for those particular land uses. Indeed, it's a hot topic in the Caledon area today.

There's a concern that requiring full compliance with the provincial policy statements through the language of "consistent with," especially prior to new policies being forthcoming, is not respecting the diversity of municipalities or the ability of municipal councillors to make decisions.

The AMO planning task force presentation on the Bill 26 hearings about this language "consistent with" versus "have regard to"—AMO does not support this change because the "shall be consistent with" standard treats all municipalities as if they were the same and does not recognize local differences and needs in terms of land use planning and its corollaries. So there's much discussion, much lip service from this government about the importance of AMO, and certainly their memorandum to consult with AMO, but AMO had some very strong concerns on behalf of municipalities, saying that the government is treating all municipalities as if they were the same and not recognizing local differences or priorities and, through that, I would interpret, local decision-making.

Despite the concerns of AMO or Caledon or others that came before the committee to address this particular issue in Bill 26, the government continued to go ahead with that change in language, going back to the Peterson-Rae approach, which usurps decision-making from municipalities and, I would argue, therefore, because you're not using local municipal expertise, not allowing them to find the best way to address potentially competing concerns of the PPS at a local level. Instead, you're taking it to a provincial level, and I bet you will get worse land use decisions in the future.

Hopefully, as municipalities bring it forward, if Bill 26 passes—and I suspect a lot of my colleagues, if not all, will be voting against it on third reading—perhaps the government will keep an open mind—I'm not going to have a lot of faith because they haven't changed it to date—monitor these situations and go back to better language or proper language that respects local decision-making, and that's the use of the term “have regard to.”

UDI, the Urban Development Institute, said in the Bill 26 hearings about this issue: “UDI continues to believe that the ‘have regard to’ test is the most appropriate” test. “The current test respects the diversity of communities”—again, similar language—“across the province and encourages locally driven solutions, but at the same time ensures that the overall preferred provincial direction is respected while allowing for a balancing of the interests.” I think they've put it a lot more eloquently than I do off the cuff here on this important issue.

They make the essential points that Ontario is not one big municipality, that different municipalities will have different interests and different priorities at different times; and that there are ways of approaching planning matters, not a single way. The UDI, other municipalities and AMO combined make a similar argument, that the change of language is inappropriate and, I would argue, potentially dangerous.

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UDI goes on and says that the reinstatement of the “be consistent with” test within the context of provincial policy framework will create uncertainty for landowners and municipalities when responding to local circumstances. So not only is there a danger that the wrong decisions will be made, not only is there a lack of respect for the diversity of our communities, but third, it's going to create uncertainty in UDI's mind and, I would expect, in municipalities' minds, for landowners and municipalities when trying to respond to local circumstances.

The other point UDI makes as part of their submission: “Furthermore, it will impede the province's own decision-making ability across provincial ministries for provincial capital-related schemes and undertakings. The ‘be consistent with’ test will exacerbate these problems whereas ‘the have regard to’ test allows for an appropriate balancing of PPS policies.”

I've spent a good deal of time, but I think this is a very important piece of the legislation, and it's highly regrettable, whether it's an oversight or a decision by the government, not to take the advice of AMO and other groups and maintain that language of “have regard to,” instead of “be consistent with.”

If Bill 26 goes through—and I have no reason to doubt that, because we've seen the members vote en bloc on every piece of legislation—then hopefully they will monitor this closely and change the legislation down the road to give greater respect to municipal leaders and the diversity of our province, so local situations and circumstances can be best addressed through the language of “have regard to.”

I mentioned a bit earlier—and I won't dwell on it—that the time frame is to be extended before an issue can

be taken to the OMB. The government is now moving it from 90 to 180 days, I think, as the time limit. I don't have the same degree of concern about this as I do about the minister's extraordinary powers or the change of language to the old Peterson-Rae language that, in many senses, with other factors, had a crippling effect on local development and job opportunities. But I think there is a concern expressed by a number of parties that the legislation potentially opens up the system to abuse by parties for longer delays in projects. There might be extended rounds of discussions that may not conclude as quickly as some parties would like. That was brought forward at the hearings. It was not changed in the legislation. But as I said, the parts of the bill that I take the greatest issue with are the changes in language, the top-down solution from the Dalton McGuinty government to local decision-making and, secondly, the declaration of a provincial interest.

Let me get into that issue about the extraordinary powers the Minister of Municipal Affairs is taking up, through Bill 26, to the cabinet level, and taking away from the Blackstocks or the Ajaxes or the Port Colbornes in the province of Ontario.

**Mr Jim Flaherty (Whitby-Ajax):** What about Whitby?

**Mr Hudak:** The member asks, “What about Whitby?” Well, in fact, it's one broad brush. It would treat all municipalities the same in saying that the Minister of Municipal Affairs could declare a provincial interest in a local planning decision going to the OMB and take that decision, then, to cabinet, as opposed to a more clear and transparent process before the OMB. Davies Howe Partners made a presentation on February 5, 2004, where they described this aspect of the legislation as follows: “Taking planning decisions into the cabinet room is an impractical political minefield.”

I had the honour of serving in a number of capacities in cabinet, as did many of my colleagues here in the third party and, of course, some of those in the Legislature tonight. Every week you get this thick binder of all the decisions the cabinet has to go through. You do your best as minister, of course. You probably have the most authority on issues that your ministry's involved with, and then others that you find are particularly interesting or compelling that affect your riding. I think each minister, in good faith, endeavours to get through his or her briefing binder so they can engage in cabinet discussion to the greatest extent

**Mr Flaherty:** Smitherman ought to read his.

**Mr Hudak:** I appreciate my colleague's comments about that.

My colleague mentioned the Minister of Health just a few moments ago. If you have something as weighty as the OMA agreement for cabinet discussion, if you have something which I think is a silly approach by the Attorney General on the pit bull legislation, there's no doubt they've debated that extensively in the cabinet. You have issues that are top of mind among politicians and in the press, and then somewhere in there you're going to sandwich a local zoning bylaw of Pickering, for



example—not to pick on Pickering. I know Pickering is feeling particularly aggrieved by this government from a number of its initiatives, including the greenbelt and the Oak Ridges moraine land swap. But whether they should be making a decision declaring a provincial interest or debating in cabinet whether the Tim Hortons in Pickering, just to stay with my example, is to go ahead or not—is that the best use of cabinet ministers' time? Will you get a good decision as a result of that process?

I think it's going to be Byzantine. They'll probably have some specialist in the Ministry of Municipal Affairs who will look at all the different local planning issues, write a briefing note on it, slip it into that big, thick binder and hope that cabinet ministers will spend some time reviewing it and then making an appropriate decision. But I think when a local land use issue like that is up against an OMA agreement or pit bull legislation, it's not going to get the consideration it deserves. In fact, the best place for its consideration would be at the local level before Pickering council and then before the OMB. That's where it would get full consideration.

I fear that at cabinet it will get short shrift or be caught up in even bigger politics. Cabinet ministers may find themselves tempted to even out the decisions. If the environmental stakeholders won last week at cabinet, then maybe the development industry is going to win next week at cabinet so we keep stakeholders balanced; or if the municipality won this week, maybe we'll give it to the local citizens' group next week. I think there will be that temptation of cabinet to look at that as sort of the big picture, the big stakeholder concerns, as opposed to the merits of the particular issue.

Municipalities have expressed, I think, strong concerns about these types of local land use planning decisions being taken up to the cabinet level. I think during Bill 26 I compared it to the picture *The Scream*. That guy in that picture, the portrait *The Scream*, will look positively sanguine to some poor stakeholder who's trying to negotiate through all the cabinet ministers about some local land use decision that suddenly finds itself at the cabinet level. They won't be good decisions, on average. They won't have due time for debate. They will be caught up in overall stakeholder considerations as opposed to the merits of the local issue, and they will not be done in a timely manner. I find this an area of great concern.

That's me, as the opposition critic, but let's take too—I know my friend from Peterborough is a supporter who likes, generally, the Ontario Professional Planners Institute, a well-regarded set of individuals with no particular political bearing. They try to take good planning initiatives, good planning in the province of Ontario, and to give good advice. I think Don May said this during the Bill 26 hearings on behalf of the OPPI: "We have three main concerns with the sections on declaration of provincial interest. First, we believe that the PPS should clearly and concisely state the criteria used to identify a matter of provincial interest. Second, the province should declare a provincial interest much earlier than the minimum 30 days before an OMB hearing," and they go

on to talk about under what circumstances it would be appropriate for that type of decision to be made at the provincial cabinet level.

But they do get to the point that I have of the lack of transparency that exists in that system, which is, I think, a sad second, at best—probably a third or fourth option—compared to local decision-making by the councillors who represent the people who are finding their way through this particular issue and have given good thought to the history and the particular pros or cons of an issue, rather than going all the way to slipping into a cabinet binder, where far too often it won't get due consideration.

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The other reason: Quite frankly, I think there would be a level of distrust whether good decisions will be made. Certainly, when you look at Bills 27 and 135, and some of the decisions made on the mapping—there's a growing concern at public hearings on the municipal affairs piece of legislation about whether the decisions on greenbelt were made based on science or political decisions. Were they rushed through or done without due thought and due consultation? Is there an issue of competency with the way the greenbelt was designed? The same factor would be at play in Bill 26. It's very challenging.

Grimsby council, in this past week's Grimsby Lincoln News, has responded very strongly to omissions in the greenbelt map. I'll give you some examples. It has offered "three locations which should be exempt from the legislation: Deanfield Estates, on the west boundary of Grimsby just south of the South Service Road; Niagara Gateway Estates, the current site of Bamford and Lampman Auto Wreckers; and the extension of the Kemp Road hamlet to 'the top of the escarpment.'"

There's also concern expressed by the Grimsby council that "the hamlets in Grimsby, including the ... Kemp Road hamlet as well as Grassie, are missing from the proposed greenbelt maps," which I think gets to an important concern that the greenbelt map that was brought out was not done with adequate consultation, was not done with adequate science. As Grimsby rightfully points out, significant parts of the municipality that are already serviced or already should be noted as urban settlement areas or hamlets or such were left out of that legislation altogether. Whoever drew the map had to do so for a large area, but these types of oversights—Erin is another community that has brought this forward, that was left out of the greenbelt and then woke up one day to find themselves put back into the greenbelt.

The fact that the Holland Marsh was cut in half in the first study area—part of it was in the greenbelt, part of it was out—gives municipalities cause to pause and think, "Would this kind of lack of science, this kind of oversight or," hopefully not, but, I fear, "this kind of incompetence be reflected in decisions on local planning initiatives with the new extraordinary powers of the minister if Bill 26 were to pass?"

Pelham has brought up similar concerns. A recent issue of the Welland Tribune: "Greenbelt Boundary Questioned.



"Craig Larmour," the town's planner, "is dubious of the science supporting the greenbelt boundary as it has been drawn in Pelham." I think he makes a very insightful statement.

"With more time to incorporate public input, the ministry could see instances where the line doesn't match the realities on the ground, Larmour says. 'They're not going to do that in the 17 days between the end of the public consultations' and the expected passage of the legislation."

He goes on to say in the story in the Tribune of November 10, "Unfortunately, we're kind of up in the air right now.... I don't know that they," meaning the Ministry of Municipal Affairs, I expect, "have all the answers."

There was a recent public consultation reflected in Winona, and the Hamilton Spectator had an article. There are some good quotes in there, some concerns raised about the mapping. "The area between Highway 8 and Barton Street east of Fruitland Road in Stoney Creek should be removed from the greenbelt plan and designated for urban development because this was the former city's long-range plan and services are already in the ground." Grimsby's being restricted to develop land already serviced. So servicing is already in the ground west of Casablanca Boulevard.

On the other hand, "The Pleasantview area on the north side of the former town of Dundas should be in the greenbelt area," stakeholders from that area say. So a great deal of concern is expressed, and I'll get into that in further debate and, hopefully, in our hearings, about the inadequacy of the greenbelt mapping that doesn't seem to be based on science. There's great concern about whether it was done competently. In towns like Erin, Dundas, Pickering, Grimsby, Pelham and St Catharines, I would expect, as well, there's a rising, growing voice of criticism—and Lincoln additionally. So I fear that the same type of approach will be reflected in Bill 26's extraordinary powers.

**The Deputy Speaker:** Questions and comments?

**Mr Bisson:** I want to compliment the member for a pretty interesting insight into this particular bill. I've seen him take a pro and a con position on a number of issues, and I'm sure he's at one point going to let us know where he's at with support or objection to this bill.

**Mr Hudak:** We're against Bill 26.

**Mr Bisson:** OK. Part of the problem is that there's another piece of legislation he also talked to that he might be for. Maybe that's where the confusion comes from. Anyway, I thought it was an interesting comment.

However, I just want to raise with the member the issue of timing, the amount of time provided for people to make their concerns known to the municipal council when it comes to changes to the official plan. His government made changes where they had actually decreased that amount of time. I never really thought that was a good idea. I'm wondering, when the member makes his comments, if he'll speak to what experiences he may have noticed when it came to the lack of time that people had to bring forward their objections or their comments

on an official plan and if he had any dealings at all having to do with the Ontario Municipal Board in regard to that timeliness as well. There have not been a lot, but I've had two or three instances over the past number of years where people in the constituency have come to me and said, "I just found out about this and, Jeez, I've got three days to come in within the timelines." As you know, the timelines were changed to make them shorter, and I'm wondering if you've had any experiences that way. I look forward to the comments from the member in regard to that. Let's see what he has to say.

**Ms Jennifer F. Mossop (Stoney Creek):** I'm pleased to respond to the remarks made by my colleague the member from Erie-Lincoln with regard to this issue. I heard him say that he was wondering what was happening, whether or not our cabinet ministers were close enough at the cabinet table to discuss these things. In fact, we have a committee of nine ministers who have responsibility for areas of land use, planning, infrastructure and transportation, who actually have a committee together and consult on a regular basis on these issues so that they're going forward.

Do you know how I know this? I know this because this morning I was told this fact by Minister Gerretsen as we drove around my riding of Stoney Creek and Grimsby, looking at a number of areas in the greenbelt legislation that may not fit exactly the overall broad concept of it. That's the kind of government we are. We have this very open government where our ministers come and see these things first-hand, talk to our local officials and listen to their MPPs. I know this might seem a bit surprising to my colleague, given that he was part of the government that brought us downloading and forced amalgamation. It's not exactly the kind of thing where you're actually listening to your municipalities and what they have to say. The one thing I hear over and over again from people is how much this government is listening to people.

As far as the greenbelt legislation goes, that sort of large framework has to go through in legislation. The draft plan, the mapping, is just that, a draft plan. We're having consultations all over the Golden Horseshoe. The minister himself has been to visit many of the areas and is looking at areas where maybe the lines aren't exactly in the right place and may have to be moved. He's listening to what the local officials have to say about this and moving forward in an open, consultative fashion.

**Mr O'Toole:** I said earlier that I have the greatest respect for the member from Erie-Lincoln. As critic, I know that when he took Mr Gerretsen, the minister, to task during the estimates committee hearings, the minister and his staff were somewhat alarmed at his insights into the number of very dramatic changes in the legislation. I'm just looking at a few and I think, for the record, how complex this file is. They're making it almost like a maze, for the landowner as well as the municipal levels of government.

Bill 26 is the one we're discussing tonight. It's amending the Planning Act. I should say there's a very subtle provision—some may have not noticed it. It's a new



section of the bill which gives the minister extraordinary powers with respect to matters of provincial interest. There are other sections in the bill that Mr Hudak has spoken to that indicate that planning issues aren't a cookie-cutter approach. They've been discussed by the NDP, the Liberal government, as well as our own government, in looking at the principles of planning policy and "consistent with" or "with regard to," which perhaps sounds a bit complicated to the listener today. It just shows that there's no perfect solution to every inch of the province of Ontario.

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Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001, is also by the minister.

One that I think is of interest to the people of Ontario is Bill 133, from the Minister of the Environment, which has huge implications for land and issues surrounding land or uses of particular land. Bill 135 amends the Niagara Escarpment Planning and Development Act and the Oak Ridges Moraine Conservation Act, by Mr Gerretsen, and Bill 136 is the establishment of growth plan areas. What they're really doing is forcing a kind of engineered plan by the Liberal government, kind of engineering and micromanaging all of the planning issues in Ontario. That's exactly what the Liberals are doing in Ottawa. You can't trust what they're up to. They're hiding it all in four or five different bills. I think Mr Gerretsen should pay attention to the questions being raised by Mr Hudak in his concerns with Bill 26.

**Mr Prue:** It's always a privilege to comment on the member from Erie-Lincoln. He speaks eloquently, he speaks his mind, he is well researched and he offers legitimate criticism. I don't always agree with all of the criticism or all of the statements he has to make, but he does make them very well.

There was one point in particular—because I only have two minutes to comment. He talked about municipal responsibility, and of course that's always something I watch for very closely. There's a difficulty in this bill and there is a difficulty in municipal responsibility altogether because this bill, and in fact all of our government structures and all bills, treat all municipalities virtually the same way.

When I was reading this bill and looking at how municipalities are dealt with, you see little, tiny isolated northern communities, rural communities, communities of only 100 or several hundred people, being treated the same way as mega-cities like Toronto, Hamilton, Ottawa or London. I will tell you there is a fundamental difference between those bills and the ability of municipal politicians to deal with bills like this in large cities versus very small ones.

Municipal politicians want to be treated fairly, and we need to treat them fairly, but we need to treat them, I would suggest to some of you, in a very different way, because in a small community with a lack of resources, with few staff and little training, municipal politicians

cannot make the same kinds of decisions as a municipal politician properly instructed, with staff, in a large city like Toronto, Hamilton or Ottawa.

The reality of this bill is that the minister is taking back a lot of power. He ought not to take back that power in a great many instances. We need to look at bills, increasingly in the future, that separate out large and competent municipalities from small ones.

**The Deputy Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I appreciate the comments of my colleagues on my remarks on third reading of Bill 26. I appreciate the member for Stoney Creek's comments.

It's nice to hear that the Minister of Municipal Affairs got out of Toronto and drove around Grimsby to see what significant errors there are on the greenbelt map. Perhaps the Minister of Municipal Affairs will get in a car with the member from Niagara Centre and see the significant errors that exist in Pelham. Then I'll pick him up in my Avalanche and take him around Lincoln to show him the significant errors. Then the member from Pickering can take him around and show him the significant errors that Pickering has expressed. My colleague from Wellington can talk about the significant errors that Erin has expressed.

There are grave and growing concerns about how this map was arrived at. Maybe, instead of meeting behind closed doors, this committee of nine could have actually been out there in the field and met with Mayor Bentley or met with Mayor Hodgson or met with Mayor Leavens and solved these issues before they developed. There is grave concern that this was not done on science but on political science. There's a grave problem that these boundaries were not done based on what local municipalities have said. There's an issue about confidence around the way the greenbelt was brought forward, which reinforces my concerns about the ability of the ministry to make decisions on local planning issues in Bill 26.

Then, do you know what? Let's get the committee of nine out there on the road. We'll get the Minister of Agriculture to go to a grape grower who has now found that his farm has been deemed forever in production, with no plan to support farming, no plan for economic viability, no plan to increase sales of VQA wines at the liquor store, for VQA legislation. He can find his way to a municipal council to hear about how their growth is going to be restricted, can find his way to a taxpayer who is going to find further tax increases, paying the brunt of this legislation, can find his way to trace out the potential route to the mid-peninsula corridor or other transportation initiatives. I don't have faith in the committee of nine; I have faith in the local decision-makers.

**The Deputy Speaker:** I believe we've reached a point in the debate and a point in time where this House should be adjourned until 6:45 of the clock.

*The House adjourned at 1755.*

*Evening meeting reported in volume B.*

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## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 22 November 2004

Lundi 22 novembre 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 22 November 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 22 novembre 2004

*The House met at 1845.*

### ORDERS OF THE DAY

#### ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2004

#### LOI DE 2004 SUR L'ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Resuming the debate adjourned on November 18, 2004, on the motion for second reading of Bill 118, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the Act for persons with disabilities / *Projet de loi 118, Loi traitant de l'élaboration, de la mise en oeuvre et de l'application de normes concernant l'accessibilité pour les personnes handicapées en ce qui concerne les biens, les services, les installations, l'emploi, le logement, les bâtiments et toutes les autres choses qu'elle précise.*

**The Acting Speaker (Mr Joseph N. Tascona):** Further debate?

**Mr Cameron Jackson (Burlington):** I'm very pleased to begin debate this evening on this important legislation affecting hundreds of thousands of Ontarians who have disabilities of a very wide range.

I have a fairly strong working knowledge of the contents of this legislation, having drafted the first piece of legislation in our province, Bill 125, back in 2001, after consulting with the disability community—I wouldn't say for an extended period of time, because my responsibilities were to meet with the disability community very quickly and develop and draft legislation within an eight-and-a-half-month window.

I'm pleased to say that that was achieved, working directly with the disability community, although I must confess that I didn't take much time at all to speak with the private sector, or even with municipalities for that matter, by virtue of their adamantness at the time that they could neither afford nor cope with the costs associated with bringing full accessibility to our province. That's an issue that I think merits being returned to, because the cost of accessibility is something this new bill doesn't address and we need to provide some assurances to the disability community about how we are going to achieve the lofty goals contained in Bill 118.

The short answer, of course, is that if it wasn't going to cost anybody anything, we'd already be doing it. The fact that we're not doing it is not because there is a certain mean-spiritedness or closed-mindedness in this province, but that there are very real costs associated with making this great province of ours fully accessible.

For me, this is an important piece of legislation as well because, as I indicated when the minister tabled the legislation, having grown up in a family with a person with a disability, one gets to see first-hand the challenges they face on a daily basis in all aspects of their life, beginning with acceptance and access to basic programs as children, right through to finding employment, dignity and respect, accommodation and all the subsequent challenges that follow them through adulthood. For all of us in this House to participate in advancing the cause of disabled persons and to acknowledge, in effect, that those with disabilities are differently able and are trying to navigate through the province—through its buildings, its transportation systems and its infrastructure—that is sensitive to the way their abilities are somewhat different from other people's abilities, is essentially the best way to look at the rights of citizens.

1850

I've said on many occasions in this House and elsewhere that Ontario holds within its heart some of the finest legislation and some of the firsts with respect to responding to the needs of those less fortunate. We were the first jurisdiction in North America to create a Human Rights Code. We were the first jurisdiction in North America to publicly abolish slavery. We were the first jurisdiction to have a Human Rights Code developed for its citizens. We have many of these firsts. So it's appropriate that in 2001 we were the first province in Canada to bring in disability legislation. Today, we have an opportunity to take that legislation, move it forward and make it even more effective.

As I indicated, the challenge that was facing me at the outset, when I began work in this area, was that the private sector simply said, "Unless the government is going to pay for it, we're not prepared to respond." Frankly, I have letters and other indications from the Association of Municipalities of Ontario that, "Under no circumstances should you impose a model in this province unless you're prepared to give the money to the municipalities to make them compliant."

When I received that kind of warm welcome as a minister of the crown charged with the responsibility of bringing in the province's first act, it was extremely



disappointing. However, it taught me the first principle of working on these reforms: You must begin with the disability community. You must begin with a model that empowers them, because if we ever attempt to put the disabled community on the same footing as those in positions of authority, they will never be able to move the benchmarks, and negotiated outcomes have never worked anywhere on our continent. So I was always very mindful of the fact that some power that empowered the disability community would allow them to achieve more, in my opinion at the time, than putting them in a room with a round table and saying we should hope that collectively, with all the various special interests at the table, we would come to a mutual agreement, all the while no one ever discussing the issue of who would pay to make the changes that were required.

It occurred to me that the first level of government that didn't have the moral right to say no was, in fact, the government of Ontario, which I was representing at the table with the disability community.

One of the first dichotomies between the new government's Bill 118 and the existing law in the province, Bill 125, is that there are very rigid, prescriptive outcomes required for the province of Ontario, as a government, to make all its publicly owned buildings and programs fully accessible. It goes on, in its regulatory framework, to say they have 10 years in which to make this fully compliant. It was built on one basic principle: The government of Ontario was in no position to go lecturing the private sector, the extended public sector or the municipalities on how they should become more accessible when we as a government were not leading by example.

The previous legislation is almost as long as the current minister's bill; about 80% of Bill 125 is contained in Bill 118, the Liberal bill. There is concern that this notion of mandatory compliance and the fast-tracking of compliance by the provincial government is not in the legislation. That causes me some concern. I remember that much of the difficulty I had in developing the legislation was that I had to have some fealty to the notion of accountability, in terms of what it would cost. In fact, in the first year of Bill 125, the associated costs were about \$70 million. So I could at least look into the face of the disability community and say, "That is the commitment. It may not be enough money; clearly, it's not." But I was able, as the minister of the day, to say, "We are spending \$70 million toward a range of things that we're doing to ensure that the province of Ontario begins."

I'm going share with you one little example of why, in my view, this became so important. The day I was given the assignment, the first question I asked of my ministry—the same ministry that my colleague from Hamilton Mountain now has the privilege of serving—was, "How many people in our ministry have a disability?" In other words, I wanted to put a disability lens on the very ministry I had inherited. I didn't want to talk about what happened in the past. I wanted to talk about what we were going to do. There had been some historic-

al reference to the fact that our government had had a stutter start, with a couple of ministers and with legislation that was deemed unacceptable. I'm not here to dispute that; there is some truth to that. But it was given to me to try to move it forward and do better than the past efforts. So the first question I asked of my bureaucrats was, "I want to know how many people who work in our ministry have disabilities."

Now, the first concern I had was that there were very, very few of them. There are reasons for that, which I'm not going to defend. I said, "Well, how many additional bureaucrats have been assigned to work on this file?" They said, "Four." I said, "How many of those are disabled?" They said, "Well, none. You have to appreciate that we have a union contract and the civil service."

So we got somebody from agriculture, who was grading eggs a few weeks before, spirited into the accessibility secretariat—well, it wasn't a secretariat; it was a working unit within the ministry. I hadn't come up with the idea of creating a stand-alone secretariat.

I remember having my first battle with my bureaucrats over this issue. I was aware of a young man who had impeccable credentials, who was doing research work, had done work for the provincial government on a short-term contract, had done work at Mohawk College in Hamilton, in the minister's very own riding. He had jetisoned his application for his own disability pension because he believed he had the ability to find employment, and I wanted to support him in that regard.

So the first act I did as minister was to get the attention of my bureaucrats. I said, "If you cannot hire this individual to help us with this project, then we have lost from the beginning." If we lack the ability, even as a government—and this has nothing to do with Liberal, Tory or NDP. Just as a minister, if I can't insist that part of the working team who will meet with the disability community isn't themselves demonstrating they have the ability—and there are lots throughout the government. Are there enough? No.

But here I couldn't even get—so I put my foot down, and all hell broke loose. The Premier's office got involved, and I said, "I'm digging in my heels. You gave me the job to do, and I'm not proceeding unless the following five conditions are met," in terms of access to public meetings with the disability community, access to a group who would give advice, the ability to have these individuals come to Queen's Park and I would pay their expenses to come here as opposed to my running all over the province with brief meetings—and I did a fair bit of that. I travelled to about 12 different cities and met with about 200 individual disabled persons. But I really needed people to come to Queen's Park and speak to their government.

I remember a classic confrontation I had with my bureaucrats, when they said, "Well, have them submit their expenses." And here's the whole point: They just didn't get it. These people are marginalized, with very little income, unless they're self-employed and have been very successful at it—and to be sure, there were several

of those. But the average disabled person who needed to provide input to the government was marginalized.

I said, "Do you have any idea what it would cost to fly here from Thunder Bay?" and they said, "Yeah, about \$700." I said, "That's about what they earn in a whole month. How are they supposed to—"

"Well, can't they put it on their Visa?"

"No. These people don't have any credit."

I remember having a fight. On several occasions—and this is a matter of public record—I had to put their hotel expenses and their travel expenses and their airfare on my ministerial credit card. I did that because it was the only way I could get around the bureaucrats who kept saying, "That's not how it's done." I said, "Well, you'd better learn how to change it, because the disabilities community can never travel." They have to line up their transportation—that's a challenge in itself—they have to get modifications when they fly or take the train, they have to have people to receive them at the other end, and then they have to—and the accommodation was the least of their problems, just paying for it. I remember having that fight. I went ahead and spent the money anyway. I stayed within the budget. But how sad is it that we couldn't even get the bureaucrats to understand that you can't have these people coming in to consult and not pay their expenses in advance or cover them somehow? That was an ongoing battle I had. Frankly, some of that has changed, but I'm still hearing anecdotes.

**1900**

I wanted to start with this concept of empowerment. "Empowerment" is a word we throw around a whole lot. Empowerment, to me, is giving someone the upper hand, not an equal hand. That's equity, that's fairness, that's a fair shot at it, but it's not empowerment. What I was trying to achieve—and the reason I'm spending time on this is because herein lies the subtlety in the difference of the two legislations. It isn't basically the issue of a time frame, because a time frame was always available to every government. Saying, "In 10 years, we'll do this; in 20 years, we'll do that," isn't the magic of this legislation; it's the road that we take on the way to that. That road has been altered here, with good intention, via the minister. I'm not questioning her motive, but having worked in public policy and having developed models of empowerment in various pieces of legislation that I've constructed over the 20 years I've been here, this is a shift that I have some concerns about.

Like all debates on legislation, it's important for us to put that on the record. It may not change the direction of this legislation, it may not allow the government to embrace the amendments that I will be presenting, but it does put a marker on this journey over the next 20 years to determine whether or not we're achieving those goals in the five-year review and approval modules which are contained in the legislation and as suggested by the minister—five-year modules which were in the legislation that the previous government and I presented. I personally believe we should be more prescriptive in terms of outcomes.

However, I go back to the issue. You can't lecture the private sector to do something that you, the government of Ontario, are not prepared to do. It's something I wouldn't do as a parent, it's something I wouldn't do in legislation. It's just bad public policy.

The big issue in the previous legislation, and one that isn't clear in this new legislation, Bill 118, is the fact that the province of Ontario has to become fully accessible first. In other words, we would develop the standards as a government, guided by our commitment to the disability community, that this is how we would make Ontario more accessible in a whole range of things.

The simple things are getting a ramp into a building, making sure there are assists to individuals who are sightless or who have hearing difficulties to assist them with all manner of additional safety and accessibility features. These are not specific to the building code in Ontario but can be specific to a government that says, "We will provide our services to the citizens of Ontario." We would then have a costing of these initiatives and the time not only to bring in new programs but also to retrofit old buildings and old programs. In my view, that was the way in which we should lead by example.

What is of concern to me in this legislation is that we are now putting everybody on the same time frame, and we're putting everyone on the same mutual goal of achieving negotiated standards for accessibility. If I were a member of the disability community, I don't think I'd want to sit down and negotiate it. I think I'd want to be put in an empowered position to say, "Here's the standard which we need to apply"—non-negotiable; this is the standard. This has occurred in the lifetime of this Parliament. This has occurred before in the Legislature, as a government program. Many of you will recall Gary Malkowski, from the great riding of—

**Mr Rosario Marchese (Trinity-Spadina):** I think it was Don Valley.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I think it was East York at the time.

**Mr Jackson:** Yes, East York, I believe; thank you. The Solicitor General was kind enough to share. I believe it was East York. Gary Malkowski, a wonderful man—

**Mr Marchese:** Why didn't you help us? York East.

**Mr Jackson:** OK, do you want to hear about Mr Malkowski, or are we going to argue about his riding?

*Interjection.*

**Mr Jackson:** OK. Now, Mr Malkowski brought a fresh, new perspective to this chamber. But as a pre-eminent member of the deaf community, he had come forward to say that he needed his services prepared and presented for him so that he had accessibility. He had a team of signers. The costs associated with that—and this was a rough figure that we knew at the time—was about an additional \$175,000 a year. He didn't take a penalty; none of his other budgets were subtracted, but in order for him to participate meaningfully in the House—and this precedent occurred many times in Canada but had just for the first time occurred here in our chamber with a



member of this House so that he could communicate with everyone.

The second challenge he presented was that he had the right to be notified when bells were ringing, something which we live and die by. You can't come and vote unless you know there's a bell. Because he's deaf, he had a lighting system developed for all of the legislative chamber and for some of the buildings where ministries were, and that lighting system still operates to this day: If a bell is ringing, we also have these globe lights that flash. For those people who have visited the chamber and the bells have started ringing, now you know why that is. The cost of that was close to \$1 million. One building, \$1 million, for, arguably, the only disabled person we had in our chamber. Was there anything wrong with that? Absolutely not. But there was an example where we had a model where the member, who was disabled, was empowered, and the Speaker of the day agreed that those were legitimate expenses in order for him to do his job in this chamber for his constituents who duly elected him. I never quite forgot the important and powerful message that sent. That was that the government had to lead by example, as did the Speaker of the day, and our budgets were adjusted in order to accommodate that member.

So for us to engage in this discussion and this legislation without ever addressing the issue of cost, I think, would be somewhat irresponsible, because—

*Interjection.*

**Mr Jackson:** I'll get to that in a moment—I think an empowered model that is prescriptive by nature is, in fact, the way to go. You may not be able to do as much as you'd like over as short a period of time, but the government has to put its money where its mouth is and say that the services we provide as a government—and there's a long list of them—should be accessible and we will pay the cost.

I'm going to use a reference which may be offensive to some, but it is a valid point. That is that we should ask no less of the government to set a standard for accessibility for disabled persons, in a model not too dissimilar from the way in which we provided language rights in this province for francophones. Yes, it was controversial; yes, it was expensive, but it was right. It was right because it was improper for a unilingual francophone to be struggling in a hospital, unable to communicate with anyone in that hospital. This is fundamentally wrong and shouldn't occur in this province. Yet we're not applying that same principle to the empowerment of the disabled community, who need to communicate for their own medical health and well-being, for emergency services and for access to government programs. We seem, for some reason, not to apply that standard.

1910

With a little bit of history—I know my colleague Mr Marchese spoke at length on this bill and talked about employment equity, and he made some very important points and some significant insights into the mind of the governments, past and current, about our level of commitment. But if we look back at those days—and I

recognize a couple of ministers from the government in the House tonight who were around when the NDP, as part of the accord, insisted the government of the day of David Peterson, a minority government, bring in employment equity.

Employment equity treated five identified groups equally: the disability community was identified, aboriginals, francophones, and so on.

*Interjection.*

**Mr Jackson:** And women and multicultural. So we've used the policy framework many times in this province with empowerment and prescriptive outcomes as to what must change. In those days, for example, David Peterson didn't ask women, "Well, look, why don't you just go out and negotiate with your employers? We'll give you 20 years to reach a happy medium and then we'll create some group that will ultimately arbitrate between you, the person who wants this dignity, and the employer, who has the upper hand." That's the model, which, in my view, may not get this government to the point it wants to be when they say they would like Ontario to be fully accessible in 20 years. So I've made clear my concerns.

One of the other subtleties I picked up on is that, when the Liberals were in opposition and we were struggling to develop a disabilities act, they always held out the ADA as this shining example. Now, I'm not here tonight to talk about the problems associated with the ADA. What I think is interesting to note is that nowhere have I seen any Liberal or the minister or anybody else reference the ADA. One of the reasons would be that the ADA was very prescriptive. It said, "Within 10 years, all hotels, all transportation has to be accessible to the standards established by the government." That's a prescriptive model to get a regulated outcome.

This act doesn't, in any way, reflect the path or the road taken by legislators in the United States to get to that outcome. It is more of a negotiated outcome with a group of as many as 10 committees, I'm told by the minister's staff. Four of these committees will be asked to come together fairly soon. Those four are in specific areas, such as transportation, services, buildings and employment.

One cannot argue that those aren't four important committees to get started with. However, if you look at the current legislation, Bill 125, it already has some very specific language that is prescriptive for transportation systems in this province. It puts an onus on the government of the day to fund those programs. It says you cannot fund new transportation systems that aren't accessible. It puts those conditions on that. We don't need to negotiate that with the municipality; we merely have to say, "If you're going to get one cent on the dollar for gasoline, and we're going to pump another \$180 million into transit systems, they must be accessible." We don't need to sit down with Toronto's transit. We don't need to sit down with AMO to say, "You know, we could buy two buses that, because they're discounted because they don't buy them in the United States anymore, we could get a real bargain. Let's just get those kind of



buses." We already have on the statutes their inability to do that.

The same with buildings. Today, government buildings today in the province of Ontario cannot be built, cannot be leased, cannot be renovated, cannot be re-leased—in other words, renew the rent—unless they follow provincial guidelines for accessibility. That was put in there specifically because I had visited a location which was inaccessible and I found out that they were about to renew the lease. I said, "Are you crazy?"

If you've got a couple of million dollars of taxpayers' money that you are giving to a private sector landlord to provide accommodation for any number of government programs, if you say to that landlord, "We're not renewing our rent here unless you fix the following four items," they will fix them. Your rent may go up slightly, but they will fix them.

That's in the legislation that currently operates in the province, and it's why, on the day that second reading debate started, the minister was quite proud of the fact that since—there's no mention of it in here and I'm somewhat disappointed, because you didn't all of a sudden create these guidelines. These have been worked on for over two years. They have been a part of the legislation and the law of this province, that every single minister and every single ministry must report to the Chair of Management Board how much it's going to cost them to modify their ministries to make them accessible to persons with disabilities. That's in the legislation.

It's not going to be in the new legislation. We are now going to be able to negotiate those outcomes.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** No, you misunderstood.

**Mr Jackson:** No, that's not what your bureaucrats—the minister says that's not the way she envisages it; well, then we can have an amendment that will clarify that. But the fact is, they indicated they were not 100% sure—and I met with them a week and a half ago—that the current accessibility plans that have to be filed by every ministry will continue to be strictly enforced and upheld.

The proof in that pudding was, we have asked what the costs associated—and I'll go back to my earlier point that this requires a major investment of dollars by the government of Ontario. I've asked the ministry to provide last year's costing and this year's costing of the year one and year two accessibility plans filed by each of the ministries.

One of the reasons I'm dwelling on this point is that I think it's extremely important, because it's the third principle about the disabled that I think we sometimes forget. They are taxpayers too. They have every right to expect from their government levels of service that may, for some citizens, be more costly—that's a principle we've all had to deal with—but, because they are taxpayers, they too deserve access to some of these services. In effect, it means that the province can't turn to one group of disabled persons and say, "You know what? We really can't afford that." Well, we can afford it, within

reason, but we can afford it. This is something the private sector can't always say and that municipalities will argue, because they still argue that point, but the government of Ontario really can't argue that point.

It's important that we be vigilant within the 10-year time frame to make government services accessible not only in terms of the materials needed—whether it's access through the Web or in Braille or any number of interpretive services, or whether buildings will be accessible or that we don't start putting programs into buildings that are inaccessible—but that we modify some of our programs to ensure that access to post-secondary education is improved in this province, which has been a hurdle for far too many young people for such a long period of time.

I'm told by the ministry that they do not have the terms of reference for these new committees, and that's understandable. But we would like to know how soon and I know the disability community would like to know how soon these guidelines will be ready. When we do go to public hearings with this legislation, this issue will come up, about what the guidelines and the terms of reference for these committees will be. Again, I go back to this notion of empowerment and whether or not you're leading with empowerment versus negotiated outcomes.

#### 1920

I was reluctant to put persons with disabilities at a table where there were more people from the private sector or from the municipal sector or even the province, frankly. That seems to be roughly describing the way in which these terms of reference and participation and eligibility will occur. But we are talking a tremendous number; there could be at least 10 of these committees.

Just to finish that point about the new barrier-free requirements for provincial government buildings, yes, Bill 125 is working and, yes, we have the requirements. I want to publicly thank the members of the access advisory committee, something that was developed for the first time in Canada in the previous legislation. Those individuals have been doing an extraordinary job. Clearly, the ministry, faced with the legislation, which is prescriptive—they must make their programs and buildings accessible, and we now have the guidelines which they must follow and apply. If that means that the rent in some of the buildings here in Toronto goes up or if the cost to renovate is a little more in London, Ontario, so be it, as that is no less or no more important than, a decade and a half ago, when people engaged in the controversy about making bilingual signage said it was going to bankrupt the province; it didn't. We can look upon that as a program that allowed for the rights-based access with a prescriptive model.

I want to pay tribute at this point in my comments to the accessibility secretariat, something that is unique in Canada and exists today in this province, to the Accessibility Advisory Council of Ontario. Its first chairman, which is a matter of historical note perhaps more than anything, was Dave Shannon. Dave Shannon had distinguished himself as an individual, as a lawyer, who



was an extraordinary advocate for the disabled up in Thunder Bay. As an interesting footnote for members of the House, he was Lyn McLeod's riding president. I know some people were horrified when I said this was the person I wanted to appoint as the number one person to represent the disability community. I remember telling Premier Harris—he only asked me once, "Cam, is this the best person you could find?" I said, "Premier, this man is the best person I could find in the province." Frankly, he was so good, the Liberal government—the federal Liberal government, to be accurate—stole him three months later and offered him a job in Ottawa to assist the federal government with what they promised would be some reforms in that area. But I take every occasion I can to thank him for his guidance and his contribution.

From there, the chair became Jeff Adams, who has been in this House on many occasions as a Paralympian and a world-class athlete and is just a tremendous, positive spokesperson for differently abled individuals. The current chair, the vice-chair I had appointed, is Barry McMahon out of Ottawa. He was a real inspiration as he struggled with post-polio syndrome. He had made some extraordinary insights in his fights with national transportation systems, a challenge I know the minister is aware of. Whether you travel by rail or by air, they are federally regulated, and I had a difficult time trying to make the changes in that area. I wish the minister well, and I'd like to help her in that regard, because clearly this is an area that really requires some federal awareness and leadership. Barry McMahon brought some tremendous insights to that.

I'll just put the rest of the names on the record because I think there's, all too frequently, almost a singular interest in only referring to a provincial civil servant by the name of David Lepofsky, who has brought passion and opinion to this file. We don't always agree on every issue. I know that as a lawyer he loves to negotiate and has found support and resonance for that sort of conflict resolution struggle that can occur when dealing with rights and entitlements. I'm not a fan of that. I think the government is capable of far better, that it can be prescriptive, as it has been in the United States and as it has been here in this province with previous legislation. But these are the kinds of individuals whom you don't see in the newspaper or read about but have tirelessly volunteered on the accessibility advisory council in our province.

Jeff Adams, as I mentioned, who was the chair—I'm reading the older list, because these were the founders. These were the people who really rolled up their sleeves and got to work in a prescriptive framework with provincial guidelines for government of Ontario services: Valerie Baker; André Bélanger; Barbara Fowke; Uzma Khan; and Dean La Bute from Windsor. I remember, as if it was yesterday, my meetings in Windsor with Joyce Zuk and Dean La Bute. What a life-altering kind of moment that becomes for those of us in public life when we get to see and experience things somewhat dif-

ferently. It was with the outstanding mayor of the city of Windsor, who has a huge commitment to accessibility. They were miles ahead of everyone. When I emerged from that day-long meeting I became convinced more than ever of the empowerment model and that municipalities can't say no to the disabled if we empower them. Municipalities can say no when they negotiate. In Windsor, we found a mayor, Mike—oh Lord, I should remember. He was just a wonderful gentleman and he was absolutely committed—

**Mr Howard Hampton (Kenora-Rainy River):** Hurst.

**Mr Jackson:** Yes; His Worship Michael Hurst.

AMO was saying, "No, we can't afford any of it," and then I run into these mayors who said, "You know, Cam, it's not all that complicated. Here are ways in which we do it." Of course, if you're a disabled person, Windsor's one of the best places in the province to be living, because it has made a commitment. They are documenting doctor's offices and codifying those which have to be modified. They were way ahead of all the other municipalities, and I want to credit Dean La Bute for his extraordinary work in that area.

Karen Liberman; Tracy MacCharles; Duncan Read—Duncan Read is well known to most people. He's the past president of the March of Dimes. He is a learned benchner now. Duncan was a huge asset to the drafting of the legislation. It was almost a prerequisite that he serve on the original access advisory committee because of his extraordinary strengths and the perspective of the March of Dimes.

These are the individuals who are part of the history of this province in terms of their commitment to developing an Ontarians with Disabilities Act that was far more prescriptive and kept more of the control in the hands of the actual access advisory committees.

Again, I want to publicly state how much I appreciate that the minister has retained about 80% of the model and the framework and the foundation upon which decisions were being made by the disabled community. If there's any criticism, it's that their composition is now being somewhat watered down in the name of the ability to come in and negotiate outcomes with the private sector and these committees. In my view, the second level of government which doesn't have the right to say, "We can't afford it," is a municipal government, and they too should be prescriptive in terms of the reforms they create. They have to, in fact, respond to the needs of the disabled community. It's why, in the legislation, we insisted that if you're building a brand new building or substantively retrofitting one, the access advisory committee has to have a sign-off authority to ensure that their access standards are met.

**1930**

I remember one that got through before our legislation was in effect, and it was our own hospital, Joseph Brant Memorial Hospital, and here we had legislation that said that all public buildings with public provincial funding had to be compliant with accessibility guidelines. So,

faithfully, a member of our access committee went down to Joseph Brant hospital, which had just spent millions of dollars renovating its front hall and its entrance and part of its emergency, and it wasn't to code for an accessible washroom. The administration came up with the brilliant idea that they would just take the accessibility sign down and move it down the hall where they thought they had one in the old wing. That was their solution, and I was horrified by that, but the problem was that city hall didn't have any authority to look at the hospital renovation. There was some weaknesses in that, but in fact those were guidelines that should have been upheld by the Ministry of Health to say, "You're getting \$55 million or \$56 million, whatever you're getting, to renovate and construct a new wing; it has to be done to the full accessibility standards. That's the law."

So I want to say to the minister that there's nothing preventing you from continuing that prescriptive component of it. You don't necessarily need to bring in a bunch of people to negotiate that with the hospital sector. I think you can say, "That's it." We did it with bilingual signage; we certainly can do it with Braille elevators, or whatever those features are.

I would be hopeful and, if not, be willing to bring in some recommended amendments for the government's consideration, either soon or during the public hearings component.

This notion of "one size fits all": I would hope we'd think outside of that very rigid look at how we would create full accessibility within 20 years. I think it's going to be a lot easier to make the municipal transit system—the city of Hamilton can be fully accessible far faster than you're ever going to get the GO Transit system fully accessible; therefore, they shouldn't be on a 20-year framework. One should be on a 10-year and the other on a 20, perhaps. But I think that's where the leadership needs to come from the government in order to achieve those benchmarks.

The fact that we have accessibility committees in all of our major communities, or we have the requirement for municipalities to consult with persons with accessibility challenges, is an element that must stay in the legislation, and I commend the minister for understanding the importance of that foundation of capacity in the system to guide government at all levels to make reforms.

I would ask the minister that she consider sharing with this House, and during committee hearings, the levels of commitment in financial terms that each of the ministries has committed to in their accessibility plans. As I say, my first-year costing was around \$70 million for the first year of that legislation. They are now posting their second-year plans as of September 30 for each of the ministries—including the Legislative Assembly, I might add—and the plans should specifically say what things are going to be corrected and by what time frame. They should be costed. I did ask the ministry staff if they had an MB20—which, for those who are watching, is basically an application to Management Board for

funding—and the staff was uncertain if there was a draft MBO being prepared at this time to look for additional funding.

I'm hoping, as well, that the minister will comment on what she thinks the multi-year costs are. It will be hard to convince me and many of my colleagues who have served in the Privy Council that you were not able to bring forward this legislation for approval by both Management Board and cabinet without a costing of it. Any elements of that that you would be willing to share with the disability community and the public would be appreciated and would be somewhat insightful as to the true level of commitment.

I have some concern with legislation which continues to support the notion that there is still the opportunity to file appeals of any decisions that are made and file charges with the Human Rights Commission. Under no circumstances would we ever support anything that denied that to someone in our province. On the other hand, you can look at that as saying, "How good can the legislation be if it still envisages a significant amount of activity with the Human Rights Commission?"

We know your bureaucrats have indicated that entrenched in this new legislation is the notion that there will be a defining of undue hardship for exemption in a whole series of cases. I've put on the record that I don't think the government can argue undue hardship if it has a 10-year plan and a plan in which to phase in the changes and the costs associated with its buildings. The principle of needing time is as important as having the budget to do it. This is not, for example, like the issues being raised by my colleague in the NDP about autism services when we know the price tag for that is about \$1 billion. We were somewhat aware of that, which is why we didn't promise it to people.

**Mr Hampton:** That's where the federal surplus comes in.

**Mr Jackson:** There will be an opportunity to comment on that, I'm sure.

I just want to make it clear that it's important that even before this legislation finishes second reading, we're talking about exemptions and an undue burden on businesses to be compliant. I am reminded of my colleague Mr Marchese's eloquent and passionate discussion about employment equity. We still don't have employment equity. I'm not here to discuss my party's past with it. He put on the record that the NDP was very committed to that. For them, that is a really important measure of whether the disabled community is going to be able to get full access to employment and not be discriminated against. That is one mechanism. That's a prescriptive way in which governments can address that challenge. There is none of that in this legislation, in terms of achieving certain goals or benchmarks for persons with disabilities in our province.

I find there's a very large element of bureaucracy. Having been a member of the privy council for eight-plus years, if you start giving bureaucrats bigger budgets, boy, do they know how to spend them and, boy, will they keep



you busy and, boy, will they generate paper and, boy, will they have activity. And they'll tell you that what we gave them last year ain't nearly enough to achieve the goals you said we'd have done a year ago. It's a real challenge for us. Regardless of who is the government of the day, it's always been a challenge.

I'm very nervous that we could have upwards of 10 advisory councils setting standards. They're negotiated, and then there's an appeal mechanism. I'm getting a little nervous that this is a tremendous amount of bureaucracy. In any of the work I did, whether it was the victims' office or the Alzheimer's strategy or the elderly, I always tried to limit the amount of bureaucracy. In those circumstances you need accountability and oversight, and that's fine. But if you just hand over the money to the bureaucrats to manage, you're going to run into some difficulty. We have outstanding bureaucrats, but sometimes they do such a good job and are so thorough that they tend to consume time and money at a rate that makes some of us rather impatient for outcomes, and I'm sure the disability community does not want to have that experience.

1940

I have put on the record the concern that nowhere has the government made any indication of what costs may or may not be associated with this legislation. It's a standard that I was held to under Bill 125, one I was able to respond to. It was a multi-year commitment. So I would like to see this government at least come up with a number, and if they have no money they're investing, at least say that.

I want to be careful, for the record here, that we don't get caught in this whole notion—I know that some of the previous government speakers have talked about this government already starting to invest under their new act, and they refer to the new funds for developmentally disabled persons and accommodation. We need to be a little clear here that this is a commitment that's been going on in this province for 30 years, that there's been some lagging behind in this area and that the previous government made a significant \$650-million commitment.

The new government is honouring part of the multi-year plan. Yes, the government of the day could have cancelled the program. I don't think they intended to, nor would they want to, but it doesn't stop them from suggesting that this is their commitment. This is not an investment in the Ontarians with Disabilities Act. Those are programs that all governments in the past have honoured and upheld, and have worked with that group of disabled persons. But one could reasonably argue that we're already spending billions of dollars on the disabled in health care, education, employment and supports to employment, and assistive devices and supports.

That's not the issue here. The issue is those things they currently do not have as a privilege, a right or a service in the province, and moving forward for reform. That's the issue here. I'm going to raise it today because I'm disappointed that the government chose to approach

it this way. My colleague Mr Prue from the NDP has raised on several occasions an issue which I raised about the government cancelling the retail sales tax rebate for vehicles to transport persons with physical disabilities. This was a really clever move on the part of the government. What they did was add \$10 million to the home and vehicle modification program—absolutely laudable. There's no question; no one in this building is going to argue that that wasn't a smart move. What we objected to was that they cancelled the rebate program and that's where they found the \$10 million.

So we have to be careful that we don't start moving the money around on the disability community. It's important that we say to them that we understand we're going to need to advance their agenda on all fronts. I tell you, there are some very upset families out there. In Mr Prue's case, two months later the family was still looking at the Minister of Finance's Web site, where they were bragging, "You can get the tax rebate." He went out and made a purchase, and now he's told, "Sorry, we made an announcement, and you should know that."

He relied, as a consumer—and frankly, I think the government broke its own law with respect to consumer protection. If that was a private sector company, this government would have forced them to pay every single person in the province sales tax up until the day they removed it from the Web site, because that would have been false advertising. It was an inducement to purchase. The Web site misled the public because somebody in the bureaucracy just neglected to think it was important to check on it.

So I support my colleague Mr Prue in his anxiety with this, and I support him because he's raising this not only on my behalf and my constituents' behalf, but on behalf of citizens across the province who went out to buy, who are required to transport their loved ones for a whole range of services, and can only do so, because in 80% of the communities in this province there aren't disability transit systems that work out perfectly with your family plans or with your doctor's appointments and a whole host of other challenges the disabled have when it comes to accessibility and mobility. So having a family member transport you and having their car modified was important.

To take \$10 million away from one and then say, "Look at us. Aren't we great? We've increased it by \$10 million"—for many in the disability community they were extremely disappointed. I just want to put on the record that it's that kind of activity which cynically doesn't work for our citizens, and we, in opposition, will try to be vigilant to uncover it where it exists.

I think it is important that disabled people have a strengthened Ontarians with Disabilities Act. There's no question. I think for their own dignity, their security, their future and their hope, they need a government that will move forward and be a little more prescriptive in terms of outcomes and not leave a 20-year window to negotiate certain guidelines they hope to achieve that will be negotiated with the private sector. The fact is, if we

are prepared to make the commitment as a government, it should start with the government of the day and it should be imposing much stricter restrictions on itself than waiting 20 years.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** I want to congratulate the member from Burlington for his sincerity on the issue and the work he has done with people with disabilities over the years. It is probably very true that he did a lot more than his caucus ever did or ever wanted to. I have no doubt about that. I wanted to say on the record that I don't doubt his sincerity or the work he has done around this.

But I want him to comment on something. Last week when I debated this issue, a number of Liberals stood up and said, "This is a very historic moment," and they wanted to celebrate the bill because it was such a historical piece that everybody ought to be celebrating. I didn't think it was much of a piece to celebrate, Minister. Not to offend you, but only to deal with your bill.

I said, when we introduced employment equity, that that was bold. That was an ambitious plan that dealt with issues of discrimination against people with disabilities, people of colour, aboriginal people and women. We had Liberals and Tories attacking us. We had communities out there attacking us. We had the business community attacking us. That was historic and bold.

**Interjection:** That must have felt good.

**Mr Marchese:** It didn't feel good to be attacked by a whole lot of people, because when you are dealing with issues of equity, it usually hurts you to put it out there on the record and to be bold.

But to put this document out and say, "We will achieve the objectives of this bill in 20 years," is hardly an ambitious plan. Madame Crabtree, I believe was her name, said, "I'm going to be dead in 20 years. This is not going to help me."

It can hardly be historical to say, "We will achieve this, and we will achieve it in 20 years," when you may not be here. The minister may not be here. God willing, you will be.

I ask you, member for Burlington, do you think this is historical?

**Hon Mrs Bountrogianni:** I'd like to respond to the member for Burlington—

*Applause.*

**Hon Mrs Bountrogianni:** Thank you—but before, to Mr Marchese, Madame Crabtree wrote something totally different the next day in the same newspaper.

To respond to the member for Burlington: First of all, I want to make it clear to the people of Ontario that the present ODA will be in place until the new standards are developed, in five years or less. The present ODA did not have any timelines; we do have timelines.

We listened across the province to all groups and we acted. We then went back to all the stakeholder groups, including the disabled community, to vet the plan, and they endorsed it.

We are leading by example. I know the member for Burlington had an important occasion last Thursday, but

last week I did announce that we will be implementing new barrier-free designs that exceed the present building code at all government buildings.

As well, with respect to not being prescriptive enough, what people in the United States told us, ADA and mental health advocates especially, was, "Don't be too prescriptive. Consult and develop standards. Otherwise you will become the litigious society that we are." In fact, in the United States—and you can check this with the American Psychological Association—not one law case, not one human rights tribunal was won by a mental health situation. We did listen to people—actually, the ADA, Britain and Australia—who are leaders. We learned from their example.

**1950**

With respect to our timelines, Australia has 30 years for one aspect: transportation. We have 20 years for all of it. Britain has no timelines, and the United States had 25 years, but they started 15 years ago. If we had started a decade ago, we would have been halfway there.

We must work with the disabled community to develop these standards and not be prescriptive. That is what they told us. I agree with the member from Burlington, the Accessibility Advisory Council is invaluable, and we will not only include them but give them even more responsibilities.

With respect to the transportation timelines, the transportation stakeholders told us that 10 years is a reasonable timeline, because they replace their fleets every 10 years or less.

With respect to cost, over 20 years, this is less than 1% of capital costs and less than 0.01% of retail sales to make Ontario fully accessible to everyone, regardless of ability or disability.

**Mr John O'Toole (Durham):** I just want to respond to the work that has been done by the member from Burlington, because I did sit as a member of the committee during the hearings on Bill 125. I know the concessions and compromises that were made by the minister, who had a far further ambition for the bill to increase accessibility for the people of Ontario with those needs.

If I look at the bill here, and I don't want to be cynical, but it has been mentioned, just today, by the Minister of Finance in his update on the budget, that they cancelled the accessibility tax credit. It is a shame that it happened in the same week. I was surprised, actually. It was brought up by Mr Prue, and I have to repeat it, because what signal does it send when we are in the midst of debating Bill 118, the bill to deal with the act respecting the development and implementation of enforcement standards? You look at this—and I remember the outrage during other legislation when we were government—it says here that the Lieutenant Governor in Council "may" establish regulations with respect to accessibility standards, and this "may" make regulations. That's the nature of every piece of legislation where the order in council empowers the minister to make regulations.



I like the part about public participation, because I think of constituents of mine who are persons with special needs but are talented persons. They need accessibility. I've supported Sean Madsen, who is an advocate of the first order, a very intelligent gentleman who has a visual problem. I would encourage the minister to consider him. He's a very eloquent, very competent individual who has a sight problem. He has been an advocate for some time.

When I look at "Participation of council members," it's rather soft here. It says that the minister "may invite" participation.

**The Acting Speaker:** Thank you. The Chair recognizes the leader of the third party.

**Mr Hampton:** I want to commend the member for Burlington for his insights. I think all of us recognize that both as minister and before he became minister he spent a great deal of time working on these issues. I think those of us who were in opposition when he was minister and introduced the Ontario Disabilities Act that we have now all recognized at the time that he was probably taking on many members of his own caucus, if not members of his own cabinet, and that what he did achieve was often in spite of some very powerful colleagues in his own government. So we want to commend him for the work that he has done and commend him for his insights and acknowledge his insights.

I too have a specific question for him. My question is more of a general nature, and that is: Does he believe that this legislation has enough, if I may use the expression, muscle in it? It seems to me that a lot of what's here is left up to the discretion of the minister. The minister may do this, may do that, may some day do this, may some day do that. If I may, this sounds like a repetition of McGuinty government promises: "We promise, we promise, we promise." Now they're saying, "We promise that some time in the future we'll promise. We promise that some time in the future we may do something." I want to ask the member for Burlington if, from expertise and his knowledge, this bill really has enough muscle to it.

**The Acting Speaker:** Response, the member from Burlington.

**Mr Jackson:** I want to thank the members for Trinity-Spadina, Hamilton Mountain, Durham and Kenora-Rainy River.

In the brief time I have to wrap up, I just want to remind members of this House that, in 1995, all three leaders vying for voters in this province were asked if they would bring in an Ontarians with Disabilities Act. The NDP said they would. The Conservatives, with Mike Harris's signature attached, said he would and he was held to that. At the time, Lyn McLeod did not sign that. That's a matter of historical record.

Over the eight years that we were the government, yes, I think a considerable amount of progress was made in our commitment to persons with disabilities, whether it was expansion of mental health programs, advancing issues related to persons with developmental disabilities or

the work we did in expanding autism support services in our province.

My colleague from Kenora-Rainy River asks if I think there are enough teeth in this. I've put on the record what my concerns are. In an empowerment model you have to allow the disability community to set the guidelines and standards. They will negotiate directly with government. As soon as you put the persons who have to pay at the table, you will not achieve those goals. That's been the model around the world.

The minister used the mental health problems—I'm not going to argue with her—that occurred in the United States. Yes, that's been litigious. We're not getting lawsuits from doctors who now have to make their doctors' offices accessible. I don't think we should negotiate with the doctors. I think we should say, "In the next five years your disabled patients should be able to get into your office or else you move, one or the other." That's the model we were moving toward. What I took to cabinet was 10 years for the province to become fully accessible and all municipalities had 10 years.

**The Acting Speaker:** Further debate?

**Mr Hampton:** I'm pleased to take part in this debate. Let me say at the outset what will come as no shock to anyone: New Democrats intend to support this bill, but we think it has a number of major shortcomings. I want to deal with some of those shortcomings because, as we know, there is a process around here. There's a process of first reading, second reading, then to committee and the possibility of amendments, and it is actually possible to improve on what is, at first blush, inadequate.

Let me say that one of the first problems that we see is that 20 years is a long time to wait. Saying to someone, "Well, within 20 years this may be a better situation; within 20 years, we may make progress on these fronts," is an awfully long time to wait in the modern world. At a time when information can move around the globe at the snap of a finger, at a time when countries can go out of existence and new countries can come into existence in the span of two, three or four years, saying to the disabled community that in 20 years they may see progress as a result of this bill is an awfully long time to wait—too long, in our view.

I repeat the comments of my colleague from Trinity-Spadina, who referred to Linda Crabtree, co-chair of the mayor's advisory committee on accessibility for the city of St Catharines, where she said, "In 20 years, I will be gone. We need action now."

**Hon Mrs Bountrogianni:** The next day she said, "It warms the cockles of my heart."

**Mr Hampton:** "In 20 years," she said, "I will be gone. We need action now."

**2000**

A lot of the things the government claims are in the act aren't actually there. For example, standards that deal with very practical things—the width of aisles in buildings, staff training in serving customers with disabilities, large-print menus or adaptive technologies in the workplaces—aren't laid out in the act. The act just says that a

committee will meet to establish these standards. Well, a committee may meet several times. It may discuss the issue several times. It may be a long, long time before you actually see standards.

Efficient enforcement tools that ensure compliance aren't laid out in the act. It just gives the minister the authority to set fines. That, in itself, is not effective enforcement.

Nothing in this act compels meaningful consultation with the disabled on developing standards. The act empowers the minister to establish committees involving persons with disabilities or their representatives, but there is no review to ensure the minister doesn't slack off on this or that the minister doesn't stack these committees with partisans.

The minister also "shall fix terms of reference for each standards development committee," meaning the minister can control the committee from that perspective too, which is to say that what the bill does is give the minister a lot of authority to possibly do this, possibly do that, but it does not say the minister "shall" do this. That's what law is. Law sets down requirements that are above whatever the whim of the day is or however the exercise of discretion may happen. This bill doesn't do that. I think those are real problems. I think they're serious problems.

I want to compare the bill with the 11 principles of the ODA committee. I think we all need to look at that, because the 1998 resolution, which was unanimously adopted by the Legislature, is what any bill should be judged against.

In terms of immediate action upon proclamation, it's worth noting that the sections of the bill that repeal the old Ontarians with Disabilities Act come into force immediately after royal assent, but the rest of the bill that would actually establish the standards is left to be proclaimed at the whim of cabinet. In other words, the move forward, the standards and all those things that will put in place the standards, continues to rest with the whim of cabinet. As I pointed out, law doesn't rest with the whim of cabinet. Law says, "Thou shalt do this. Thou shalt do that," and then it sets out penalties and enforcement mechanisms. This basically says that, at some future date, the cabinet may or may not proclaim these important measures in place.

I want to again go back to the Ontarians with disabilities resolution. It said, "The Ontarians with Disabilities Act's requirements should supersede all other legislation, regulations or policies which either conflict with it, or which provide lesser protections and entitlements to persons with disabilities." Section 3 of the bill states that this is not the case for this bill.

The resolution we dealt with in 1998 says, "The Ontarians with Disabilities Act should require government entities, public premises, companies and organizations to be made fully accessible to all persons with disabilities through the removal of existing barriers and the prevention of the creation of new barriers, within strict time frames to be prescribed in the legislation or

regulations." Well, the bill does promise time frames to be established by regulation. We don't know what those regulations will be, whether they will be truly strict or not, or real guarantees about what they will be at all.

The resolution passed in 1998 said, "The Ontarians with Disabilities Act should require the providers of goods, services and facilities to the public to ensure that their goods, services and facilities are fully usable by persons with disabilities and that they are designed to reasonably accommodate the needs of persons with disabilities. Included among services, goods and facilities, among other things, are all aspects of education, including primary, secondary and post-secondary education, as well as providers of transportation and communication facilities, to the extent that Ontario can regulate these, and public sector providers of information to the public, eg, governments. Providers of these goods, services and facilities should be required to devise and implement detailed plans to remove existing barriers within legislated timetables."

It's true that this government has put out ministry-by-ministry accessibility plans in anticipation of this bill, but a quick look at them shows that they are far from being detailed plans to remove existing barriers within legislated timetables. For example, the Ministry of Training, Colleges and Universities says in its 2003-04 commitment to "review its youth marketing initiative for the recruitment of young people into the Ontario public service, to identify any barriers" has been deferred. I know what "deferred" means: put off.

Let me give you another example. The resolution says, "The Ontarians with Disabilities Act should require public and private sector employers to take proactive steps to achieve barrier-free workplaces within prescribed time limits. Among other things, employers should be required to identify existing barriers which impede persons with disabilities, and then to devise and implement plans for the removal of these barriers, and for the prevention of new barriers in the workplace."

This act may do this, but it may not. It depends upon the regulations, once again. I would think that this is one of those important places where the government should really show its determination, where the government should really say, "This is what we're up to. This is the position we're going to take. Here's our bold statement." What does it say? "These will be determined in regulations, to be determined at some future date."

The resolution that was unanimously approved in this House said, "The Ontarians with Disabilities Act should provide for a prompt and effective process for enforcement. It should not simply incorporate the existing procedures for filing discrimination complaints with the Ontario Human Rights Commission, as these are too slow and cumbersome, and yield inadequate remedies." What does the bill do? It says that it will provide for inspectors hired by the ministry to enforce the law, but I note that almost every ministry of the government is facing a 12% budget cut.



So I'm left to ask, given what we see happening in the Ministry of Labour—not enough inspectors or enforcement officers—the Ministry of the Environment—not enough inspectors, not enough enforcement officers—the Ministry of Health having real difficulty in terms of long-term care, when are we going to see these inspectors? Are we going to see these inspectors? Again, that's left for some future determination.

The resolution that was passed unanimously in this House said, "The Ontarians with Disabilities Act should require the provincial and municipal governments to make it a strict condition of funding any program, or of purchasing any services, goods or facilities, that they be designed to be fully accessible to and usable by persons with disabilities. Any grant or contract which does not so provide is void and unenforceable by the grant recipient or contractor with the government in question." Does the bill provide for this? No, it doesn't provide for that at all.

So these are some key tests set out in the resolution that was unanimously passed by this Legislature in 1998. On all of these examples I have cited here, this bill, this proposed legislation, either doesn't mention or says, "Well, this may be determined some time in the future." Where it does profess to make a definitive statement, in many cases the definitive statement is a half measure; it falls short.

**2010**

I guess I'm left to ask the question: Why support this bill? Why support this legislation? Why would disability activists in Ontario support this legislation? I think the only answer that can be offered up is this: It is better than the existing legislation. It doesn't meet the standard that was set by the resolution that was passed unanimously in this Legislature in 1998; it doesn't come anywhere near that. Much of what is in this bill is in fact really a promise to do something at a later date, a promise to do something in 2010, a promise to maybe do something by 2015, a promise to perhaps do something in 2020, a promise to perhaps have some of these half measures in place by 2025.

This is not good enough, but I agree that it is better than the existing legislation. It is a step further, a step more than the existing legislation.

**Mr Marchese:** But is it historic?

**Mr Hampton:** Is it historic? Is it earth-shaking? Is it a monument? No, it's not, not by any measure. It is incrementalism. It is a baby step forward, perhaps to be followed by other baby steps, or perhaps not to be followed; perhaps to be followed by dithering; perhaps to be followed by delay, by inaction. We'll see that in the next short while. But to say this is a bold step, as the government wants to say, to say that it is historic, that it is earth-shaking, that it is an incredible accomplishment—it is none of those. It is timid, it is mild, it is cautious, it is laden with promises to take future action, but it is not earth-shattering, not earth-shaking, not in any way historic or monumental.

Let me just say in the time remaining that I would be careful about taking promises from this government as

meaning anything concrete. If this government already has a chronic problem—some would say an acute problem—it is its incapacity to live up to its promises, its inability or unwillingness to deliver what it promised to the people in an election and promised again following an election. Yes, the legislation is laden with promises of future action, promises of future process, promises of future enforcement or future compliance, and it is laden with promises that might lead one to believe in future results. But this is coming from a government that already has a dismal record on all those fronts, that even when it does do something isn't clear what it's done.

If I may use an example, the Premier promised, "I will not raise your taxes," and then, when they bring down their budget, they say, "Well, we're not raising taxes. This is a premium, not a tax." The Minister of Finance, when challenged directly, said, "No, no, we thought about raising taxes, but we decided not to raise taxes. This is a health premium." But we saw just a few weeks ago in this Legislature that the Minister of Finance and the Premier are now saying, "No, no, it's not a premium; it's a tax." Of course, we know what this is all about. Several trade unions read their collective agreements and discovered that if there is a health premium, it shall be payable by the employer. So suddenly what was announced as a premium on budget day has become a tax, although on budget day they said it wasn't a tax, and before budget day they said there wouldn't be a tax.

Again, many people have worked hard at this. Many people have sat through endless committees, hearings and processes already. I want to say to all those people who have invested a lot of themselves, their time and energy, be aware that this is a government that has encountered real difficulty, real unwillingness to fulfill their promises. I hope that does not befall this legislation. I hope that the promise to do something five years from now doesn't fall off the table. I hope that the promises to establish something by 10 years from now is not forgotten to some other process. I hope that the promise to achieve certain levels or standards 15 years from now does not fade with the passing of time. But the record of this government so far indicates that that's exactly what happens, that is exactly the result that we've seen so far from this government.

Let me just say in the time remaining that having been in the Legislature for 17 years, I know that a great number of individuals have worked very, very hard on these issues for some time. Many of them took part in the work that the NDP government did in terms of employment equity, which was designed to deal with a number of these issues. Many members of the disability community worked with two Conservative ministers on ODA legislation. People went through not just one process but went through repeated processes in the first go-round and then in the second go-round, and many of those people have come back to work now in terms of this legislation. I simply want to commend those people who have worked so hard and are so committed and passionate on this issue. I hope you are not disappointed.



**The Acting Speaker:** Questions and comments?

**Mr Richard Patten (Ottawa Centre):** I have three points to make with regard to the member from Kenora-Rainy River. Number one, a few members referred to Linda Crabtree and a statement she made. I just want to read two little quotes from the article. In part, she said: "I found her introduction of the bill life-affirming when she said, 'Making Ontario truly accessible for the 1.5 million Ontarians with disabilities is a matter of vital importance.'" She goes on to say, "She warmed the cockles of my little advocate's heart," when she proposed this legislation. I just want to put that on the record.

The other thing is, there was an attempt by the opposition to make light of the term "historic." I might refer the member for Kenora-Rainy River to the news release that was put out. It says Ontario Legislature to kick off "historic second reading debate" of proposed new disability accessibility law. Whose news release was it? This was a news release by David Lepofsky who, as you know, is the spokesperson for the ODA committee. So I refer to you that particular piece of legislation.

I believe that the member for Kenora-Rainy River spent perhaps a little bit too much time at the AG's office, sort of becoming very litigious himself and wanting everything to be prescriptive when in fact the very group that he referred to said: "This means that the government should co-operatively work with organizations toward achieving compliance where possible. It should resort to compulsory enforcement only when this has not succeeded." That is from the ODA Committee. I suggest to you that you should have some faith in a process of working with the people who will be affected and benefit from this piece of legislation.

2020

**The Acting Speaker:** The Chair recognizes the member from Cambridge.

**Mr Gerry Martiniuk (Cambridge):** When you stood up, you sort of confused me.

In any event, I was appreciative to hear the words of the leader of the third party in regard to Bill 118. This is the second day of third reading, as I understand it, in regard to this bill, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the Act for persons with disabilities.

I think the leader of the third party properly pointed out the great weakness of this bill, even though the title seems to be most encouraging. And the great weakness is the length of time of implementation, which under the bill is basically close to 20 years, subject of course to amendments and further delays in the future.

Well, I believe that is not good enough. Here we are in the 21st century and we're passing a law that, rather than bringing immediate benefits to those with disabilities—access that each of us in this House treats as a normal part of our rights and our accessibility—instead we are asking individuals for a 20-year delay before they can

have the same rights we have. I do not think that is a good idea. I think it is fatal to the veracity of this bill.

**Mr Marchese:** I congratulate the leader of our party, the member from Kenora-Rainy River, for his comments. He did a great job of discrediting this 20-year implementation plan, simply demystified this Liberal, snail-like process of a 20-year development plan for what it is: certainly not historic and certainly unambitious in terms of what they are trying to do.

I am looking for a comment from our leader with respect to the issue of enforcement, because all of you know that we have had tremendous problems in our constituency offices having to deal with the issue of birth certificates and how long it takes to get a birth certificate. In spite of the fact that the minister of consumer relations says that we fixed the problem, people still have to wait six or eight months to a year to get a birth certificate. And you know why that is happening? It's because this government has a commitment, other than education and health which they claim they fixed or are fixing, that in every other ministry they have to sustain cuts anywhere from 10% to 15% to 20%. Yet the minister says, "We will find money for enforcement to deal with violations having to do with the issues that are contained in Bill 118."

I am skeptical, member from Kenora-Rainy River, that they are going to find money to hire inspectors to enforce Bill 118. So I wanted you to comment on your perceptions, with your discerning ability, to tell us whether you think—with all due respect to the minister—McGuinty is going to find the money to deal with the issues of enforcement.

**Hon Mr Kwinter:** I'd like to comment on Bill 118, and the member from Kenora-Rainy River. I had—I wouldn't say the good fortune—I guess it's mixed fortune of having to live as a disabled person for probably six to seven months. I had an opportunity to have to walk with two canes; every time I stepped up these stairs it was an effort; every time I stepped down these stairs it was an effort. For those who are watching, I had a hip replacement. While I was in the hospital I was confined to a wheelchair, then to a walker and then to canes. Everywhere I went, I had to confront what was happening as a result of a disability. The good fortune that I had was that I hoped—and it turned out to be true—that I would leave that behind me. But I really have a new appreciation for what a disabled person goes through.

I have been listening with great interest for the last couple of days when this particular bill has been debated, and there is a lot of time being spent on this 20 years, as if nothing is going to happen until this 20th year, and then on the 20th year, everything is going to happen. That isn't the way it works. It's going to take 20 years in some cases to be able to practicably do some of these things. You don't go and rip down a building tomorrow and then replace it the next day, and it's suddenly barrier-free.

I think it's important to understand that this Bill 118 is in many ways historic, because it sets out these timelines



and it sets out what we have to do. Again, as someone who had a disability for some time, I could see what buildings have been modified so they are barrier-free, and I commend those people who did it. But what it does is allow people to understand that there is a timetable, and that is important. I commend the minister for bringing this bill forward.

**The Acting Speaker:** In response, the Chair recognizes the leader of the third party.

**Mr Hampton:** I want to thank all members for their comments, and I just want to respond on a couple.

The member for Ottawa Centre read into the record some of the comments in some of the activist organization press releases. Let me say, they are doing everything they can to promote this legislation. I understand that, and I understand why they're doing that. Because it is incrementally better than the legislation that was there beforehand, and having been, shall we say, disappointed on so many other occasions, they will greet with cheers any incremental improvement. I'm not surprised at some of those comments; I'm not surprised at all. They're very hopeful that this is going to lead somewhere. I'm hopeful it's going to lead somewhere.

My comments simply state that if you look at the legislation, there isn't a lot there in terms of setting out dates and timelines; the legislation is mostly process. Your government, so far, doesn't have a very good record on any of those things. You have broken more commitments and promises in the 13 months that you've been here than you have in fact fulfilled. Many of the so-called promises that you've fulfilled are literally the throw-away promises. That's the reality.

My colleague mentions the issue of enforcement. This is an important question. If you reflect upon, for example, the presidency of Ronald Reagan in the United States, Reagan actually passed some of the strong environmental legislation in the United States, but his government never acted to do anything in terms of implementation or enforcement. They ignored those issues altogether. That's an important question to deal with here: What will the implementation be, when will it happen, and what will be the enforcement?

**The Acting Speaker:** Further debate?

**Mr Phil McNeely (Ottawa-Orléans):** It seems that the leader for the third party can't take yes for an answer.

I'm pleased to rise tonight to speak in support of Bill 118, the proposed Accessibility for Ontarians with Disabilities Act. About 1.5 million Ontarians have some form of visible or invisible disability: 13% of the population. Our premier has often said that Ontario is stronger when we capitalize on the unique skills and strengths of all its citizens. If 13% of our population has a hard time accessing public and private sector facilities, businesses, services and information, that means we're missing out on a lot of skills and strengths. When it comes to the economy, Ontario is also missing out by not being fully accessible. Ontarians with disabilities have an estimated \$25 billion in annual consumer spending

power. Their full participation in our economy will help Ontario grow.

**2030**

When the Tories campaigned for election in 1995, they made a commitment to enact strong disability legislation within their first term. What Ontario got, however, was not what the Tories promised. First of all, they didn't pass the Ontarians with Disabilities Act until well into their second term, after relentless pressure from stakeholder groups. During the delay, the government spent billions of dollars on new capital projects without worrying about whether or not those projects would present barriers to people with disabilities. When the legislation was passed, it did not touch the private sector. It did not contain timelines for accessibility accomplishments and lacked crucial enforcement mechanisms to ensure compliance.

As the election approached last year, Premier McGuinty, then the Leader of the Opposition, wrote to the Ontarians with Disabilities Act Committee as follows: "We believe that the Harris-Eves government's Ontarians with Disabilities Act does not even begin to adequately address the needs and the rights of countless Ontarians. We will introduce a strong and effective act."

After our government was elected, in the throne speech of November 20, 2003, we pledged to work with Ontarians with disabilities on meaningful legislation that would allow them to participate fully in building a stronger province.

This is exactly what our government has done, and we haven't wasted much time. As promised, this legislation was delivered within a year of our taking office. In early October, my riding of Ottawa-Orléans had the honour of hosting Minister Bountrogianni at a luncheon to commemorate the announcement of this groundbreaking piece of legislation. It was an interesting opportunity for me and other local politicians to meet and speak to some of the people who will benefit from increased accessibility.

One person I had the opportunity to speak with was Charles Matthews, a well-known accessibility advocate and the president of the group called Disabled and Proud in Ottawa. I know Mr Matthews from my days on Ottawa city council, especially at transportation committee. We might have had 10 items on the agenda at transportation committee; Charles Matthews might speak to seven or eight of them, because he was bringing to us, the councillors sitting around that table, the needs of the people with disabilities, and he did a great job. His commitment to the cause increased accessibility. I would like to take this time to publicly commend him for his service to his city and to the disability community.

Mr Matthews says that the previous Tory legislation and the proposed Accessibility for Ontarians with Disabilities Act are like night and day in terms of the real impact on disabled individuals in our province. Mr Matthews cites the city of Ottawa's O-Train project as one initiative that could be positively affected by the new bill. He says, "This act will automatically set up the



guidelines so we will never have to plead to make anything accessible again. It will have to be done."

A former resident of my riding who has also been active in the fight for increased accessibility is Giles Warren, who I was honoured to have present at my swearing in as an MPP last year. While driving late one night between Montreal and Quebec City, Mr Warren had to stop to refill his gas tank. He stopped at a self-serve gas station that was not accessible to the disabled. The staff at the station, citing company policy, refused to come out and serve him. Instead, he had to risk running out of gas and find another service station where he could get help. Mr Warren says that that incident marked the beginning of his crusade for greater accessibility for Ontario, a crusade that has included lobbying gas companies to ensure that disabled drivers are not discriminated against at gas stations and participating on accessibility committees for city school boards in Ottawa and Hamilton.

Under the AODA, the concerns of Ontarians with disabilities, like Mr Matthews, Mr Warren and the people they represent, won't be dealt with ad hoc and after the fact; they will be taken into consideration at every phase of the planning process.

Now, what is it supposed to do and how did we determine that? In the first three months of 2004, Minister Bountrogianni and her former PA, Dr Kuldip Kular, held round table meetings and regional public meetings with 246 stakeholders and more than 1,000 participants, respectively. These meetings were fully accessible, so that people with all kinds of disabilities could participate. The overwhelming message from stakeholders and individuals with disabilities is that all Ontarians must have the opportunity to do the things most of us take for granted—ride a bus, go shopping, access education, obtain health care, get a job—without being prevented from doing so by barriers.

The ultimate goal, according to the ODA committee, should be to create a "barrier-free society." That doesn't just mean putting ramps at building entrances. We have to end barriers that are technological, bureaucratic, informational and attitudinal, as well as physical. For example, that could mean making sure menus at restaurants and cafés are available in alternate formats like Braille and large print, so that Ontarians with visual impairment can read them. That could also mean putting training programs in place so that retail and service industry staff have the information and tools needed to properly serve individuals with disabilities.

The minister also found a broad consensus that the bill should require clear and mandatory standards leading to measurable outcomes. These standards will set out the measures, policies, practices and other actions that must be taken to prevent and remove barriers.

Under the proposed legislation, the government would establish standards development councils in each industry or sector. Committees would be reflective of the different stakeholders in each sector. Large and small businesses, as well as representatives from the disability

community, would participate on these committees. Each committee would determine the long-term accessibility objectives for that sector and the time frames for achieving them.

If the legislation passes, which we expect it will, we will put these committees in place immediately, with the hope of developing the first new standards by the fall of 2005. The goal is that real results would be achieved every five years or less as we move toward an Ontario that will be fully accessible in 20 years' time. It's just too bad we hadn't started 20 years ago.

The minister also found that stakeholders agreed that any new accessibility legislation would have to have teeth. Over 300,000 public and private organizations could be potentially covered by this bill. We need ways to ensure that these organizations are committing, really committing, to accessibility. The bill provides for enforcement mechanisms that are going to be cost-effective and effective in achieving results. Organizations covered by standards would have to file accessibility reports to confirm their compliance with standards. We would use information technology to ensure these reports are easy to file. The reports would also be made public, to increase accountability. These reports would be followed up with spot inspections and audits to confirm that standards are being met. If they aren't met, the government would have the power to order corrective action. The new bill would establish tough penalties for failing to obey an order or for filing false reports.

Under Bill 118, there will be an incentive program for various kinds of organizations that exceed the mandatory standards. This bill will reward the leaders in Ontario as we move toward full accessibility.

When we enact this legislation, it will make Ontario a leader in the country and the world in terms of accessibility for disabled citizens. It will improve the lives of Charles Matthews and Giles Warren and the people they represent, levelling the playing field so that they can participate fully in all the opportunities our province has to offer. It will make Ontario stronger by capitalizing on everyone's strengths and contributions to our communities. I, for one, strongly urge my colleagues on both sides of the House to support this important bill.

**The Acting Speaker:** Time for questions and comments. The Chair recognizes the member from Halton.

**Mr Ted Chudleigh (Halton):** This is, of course, a very important bill in Ontario's history for disabled people, but as the members on this side of the House have pointed out, the bill is lacking in certain areas.

One of the areas in which it lacks that concerns me greatly is the lack of financial contributions, or the need to finance some of the costs being put forward. Whether that comes forward or not in the future, we don't know. The devil will be in the details, I'm sure. But the fact is that those kinds of expenditures can only be financed by the private sector at certain periods of time, can only be financed if the Ontario economy is strong enough to allow those expenditures to take place.



It would be my hope that the government, through regulations on this bill, would put forward regulations that would allow for the treasury of this province to finance the costs of access for disabled people to all public buildings as well. That will be a cost that should not be borne on the backs of the municipalities of this province as they struggle with their own bills and their own finances. The strength of the province will determine what kinds of financial contributions the province can make toward the construction of these access areas. That will depend on how strong this government's financial program is, and to date we have great concern about the strength of that program.

2040

**Mr Marchese:** I know the member only has two minutes to respond to all the things we have to say, and I wish he had more time. I thought he was going to take the whole 20 minutes, and I didn't quite know why he was rushing through it. But, please, member from Ottawa-Orléans, comment on what I am about to say. I'm reading from the bill, the explanatory note. It says:

"Part III of the bill provides for the establishment of accessibility standards by regulation. The accessibility standards apply to persons and organizations in both the public and private sectors....

"Each accessibility standard will identify the class of persons or organizations to which it applies. The standard will require those persons and organizations to implement measures, policies or practices or do such things as are specified in the standard in order to identify and remove," blah, blah, blah, and it goes on.

"The bill requires the minister to establish a process for the development of accessibility standards which shall include the establishment of several standards development committees...." I hope some of you are getting the sense of what I'm about to say.

It goes on: "Accessibility reports are required to be filed by the persons and organizations to which an accessibility standard applies with a director for his or her review...."

Speaker, I suspect you get my drift. What I'm reading speaks to standards, needing to talk about standards, whatever those standards will be. My criticism has to do with the fact that no wonder it's going to take 20 years. It's talking about developing standards, meeting with groups to talk about standards, and on and on, for 20 years. When does the bill get to implementation so that people who have disabilities can actually enjoy the fruits of this bill? When?

**M. Shafiq Qaadri (Etobicoke-Nord):** Monsieur le Président, «La présente loi a pour objet de favoriser l'intérêt de tous les Ontariens et Ontariennes en prévoyant:

«a) d'une part, l'élaboration, la mise en œuvre et l'application de normes d'accessibilité en vue de réaliser l'accessibilité pour les personnes handicapées de l'Ontario en ce qui concerne les biens, les services, les installations, l'occupation d'un logement, l'emploi, les

bâtiments, les constructions et les locaux au plus tard le 1<sup>er</sup> janvier 2005. »

The Accessibility for Ontarians with Disabilities Act, 2004: We often speak in this chamber about enabling legislation, legislation which allows other pieces of legislation to come forth. I view this piece of legislation as enabling legislation for Ontarians, empowering Ontarians with disabilities of a visible as well as an invisible nature, which, you'll appreciate, means both physical and intellectual handicaps. This is an effort to move Ontario to be a more just society. I consider this an exercise in applied humanity, and a progressive government should be proud of such an initiative.

I commend as well the Tory MPP for Burlington, who referred to his own government, somewhat remorsefully I must say, as having a stutter start on this particular file. But we in the government are moving forward to help people with learning disabilities, wheelchair access, accessible buses, ramps, voice commands, well-located button panels, mental health service funding and a long and proud list. That's why I'm proud to support this particular bill, Bill 118.

**The Acting Speaker:** The Chair recognizes the member from Owen Sound.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** Thank you, Mr Speaker. We have to correct that, though. It's Bruce-Grey-Owen Sound. We must get it all in there.

I'm pleased, in the few minutes I have here, to talk about the disability bill. I want to mention that I hope the minister, who is here tonight listening, listens to Cam Jackson because Cam Jackson, the member from Burlington, has been working on this for years. You couldn't find somebody more dedicated to the seniors and the disabled. He works hard on this all the time. That's what he talks about all the time at caucus meetings.

He mentioned that the government has to show by leadership, and leadership is something that we need. Twenty years is a long time. They're talking about that. I know there are a lot of complications and different things that have to happen, but we have to show a lead in this and make sure we don't download onto municipalities. That's something that happens to all governments at Queen's Park. I'm not going to blame just the Liberals for this, but all governments seem to download onto municipalities.

You have to make sure that the money is there. This is why I'm saying that you've got to listen to the opposition on this bill. If you do, then I think we can come up with a bill that we can all support, because it is a bill that is needed. It's been needed for a long time.

As Cam mentioned, we did try. One of the other members mentioned a stutter step. I don't know why they'd call it that, but we had one, and it just wasn't good enough. I'm pleased that this government today has come forward with this. There are some complications, as we've mentioned. As long as they listen to the opposition—

**Interjection:** There's no money.

**Mr Murdoch:** Well, there's money. There are all kinds of things, John. As long as the government listens

to all parties involved and does it in a non-partisan way, maybe we could bring to this House a non-partisan bill. That's what we need.

**The Acting Speaker:** In response, the Chair recognizes the member from Ottawa-Orléans.

**Mr McNeely:** I wish to thank the members from Halton, Trinity-Spadina, Etobicoke and Bruce-Grey-Owen Sound for their comments. The member for Burlington was praised for the work he did and, considering the people he was working with to bring the legislation forward, I think he should be commended as well. The member for Trinity-Spadina is not here, but they should be welcoming this legislation and they should be supporting this legislation.

We have a minister and a caucus on this side who wish to see this move forward, and it will move forward. It will be good legislation. We will see our accomplishments in five years, in 10 years, in 15 years and in 20 years. We will do what we have to do. We will take Ontario to where we want for the people with disabilities.

I worked with an engineer from R.B. Anderson, Al Peart. He's a neighbour of mine in Orléans. Al had a daughter who was disabled, and one of the things he did was go out and measure projects after they were completed by the roads department, and look at the sidewalks, look at the mailboxes, look at so many issues that were important to disabled people. Even after several years of trying, the city of Ottawa transportation people would still come up with construction that wasn't meeting the standards they should. They weren't safe enough for the disabled.

So I think we all have to work at this. We all have to make a commitment. It's a long-term commitment that will allow private enterprise to adjust. I really look forward to getting on with the legislation, getting on with the implementation and seeing Ontario get to where it should be, treating people with disabilities with the respect they need so they can be full partners in this great province of ours.

**The Acting Speaker:** The Chair recognizes the member from Halton.

**Mr Chudleigh:** I thank the member for St Catharines, who is lending his support to my speaking this evening. I appreciate it. The member for St Catharines is a great orator and I feel humbled that he's here to listen to me.

I would like to say at the outset that this is a good bill. It's one that I look forward to supporting. I think most of the members of this House will find some support for it. Of course, every piece of legislation that comes to this House has—excuse me. Were you—

*Interjection.*

**Mr Chudleigh:** Oh, I'm sorry, I thought the Speaker was speaking to me.

**The Acting Speaker:** No, I'm just adjusting the time. I want to make sure we hear you for the full period.

2050

**Mr O'Toole:** Can he split his time?

**Mr Chudleigh:** Yes, I may be splitting my time, Mr Speaker.

**Mr Marchese:** Splitting your time? Don't split your time; don't give anything away.

**Mr Chudleigh:** I'm getting all kinds of advice here. I'm glad we're in prime time. I suspect our ratings are a little low right now on the TV, but I am sure there is a large contingency of Ontarians who are very interested in this bill and are listening to it.

I would say that no matter what bill is presented in this House from time to time, there are always varying viewpoints. With 103 members in this House, and three parties, there are certainly three different viewpoints for sure. In most legislation that carries interest to all 103 members, there will be 103 different viewpoints. We all express those viewpoints in different ways. The government will express their viewpoints in caucus, I'm sure, strongly and forcefully. Even if that viewpoint isn't carried through into the House, it is expressed in caucus.

It's been disappointing in this session of the Legislature that the government has not taken its time in speaking out on issues in the House. By and large, the last session, the government had 20 minutes to speak, and they filled a little over 10 minutes of that. Throughout this session, there have been very few points in time when the government has spoken the full amount of time. I know as new members just completing their first year, many of the members on the opposite side of the House look forward to standing up and debating the issues in front of the Legislature, and yet they are not fulfilling their time. It's a strange tactic.

I can remember as a new member it was exciting to stand in this hallowed hall, a gorgeous hall, with the wood carvings and the tradition that takes place in this building, something that conjures up respect just walking in the doors. There's a tremendous amount of awe inspired, especially in that first year. It's a wonderful thing when you stand up for your maiden speech and talk for the first time in this House, and it's infectious. You want to continue to do that as often as possible in the future.

If I express some concerns about this bill, I do it from that point of view, that the act itself is a good one and I hope it will go forward. There is no act that ever comes before the House that can't be improved, and from time to time, as bills are reviewed, as bills are opened up, every five years, every 10 years and additions are made, amendments are made, those bills get improved. There is nothing that can't be improved, and this bill is no exception to that.

It's interesting that the purpose of this act is to develop, implement and enforce accessibility standards "in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, occupancy accommodation, employment, buildings, structures and premises on or before January 1, 2025."

The bill requires the minister to establish a process for the development of accessibility standards, which includes the establishment of several standards development committees. Basically, this bill is going to allow the government to create a number of committees that are going to look at setting standards for accessibility in



Ontario. It's a promise; a promise made, of course, is a debt unpaid. I'm sure this government will—well, there's a good chance this government will fulfill that promise, and they will be setting up these committees. Of course, committees cost money. The government will have to expend a fair amount of money setting up committees. These committees will be set up all across Ontario; there will be a large number of committees, I would expect. They will attract people who are going to talk about various aspects of these committees for some time. There will be a lot of money that is involved with the creation of these committees and the per diems that will be involved with them, and since all of the regulations are not going to be enacted for up to 25 years, these committees will operate for a long period of time.

It disturbs me that there is nothing in this legislation that talks about the financing, about who is going to pay for the accessibility to private buildings or commercial buildings or industrial areas or public buildings that are owned by municipalities. There is nothing in the bill that says who is going to pay for that. In fact, there is going to be far more money spent on committees and per diems than on the actual construction of these facilities. And that is disappointing, because these committees are going to go on for 20, 25 years.

**Hon Mrs Bountrogianni:** I wish. I wish it was that cheap.

**Mr Chudleigh:** The minister says, "No, no, that is not right," and I have no doubt the minister believes that. She is an honest person, and an honourable person, as we all are in this House, the minister being particularly honourable. I know she believes that, but when you look at the activities outlined in this bill, I don't see how you can avoid spending huge amounts of money over 25 years on committees and then leave finance out of the bill entirely, so that if you have three steps in front of your store, you are going to have a build a ramp and make everything in your store accessible to people with disabilities.

That's all well and good. A strong, rich province like Ontario should have that regulation. But I am not sure that the independent retailer should be paying for it. I think if society wants something to happen, society should pay for it through its government. That's one of the things that disturbs me about this bill. Municipalities, for instance, might have to pay for their own accessibility. That is kind of like a download. As the member for Bruce-Grey-Owen Sound talked about, all governments download. Certainly our government got a lot of criticism for downloading.

There was an announcement the other day of 1,000 new police officers for Ontario—I see the Solicitor General sitting on the other side of the House—but there was not an accompanying announcement of funds to pay for it or to help pay for it. That would be a type of downloading on to the municipal police forces. That, I'm sure, was disappointing to the municipalities in Ontario.

One of the concerns that we have on this bill is the 20-year phase-in period with standards each and every five

years. As we know in Ontario, there are probably going to be five different governments in place. They may be of the same party, they may be of different parties, but they will all have a kick at the cat, as is it were, as these regulations are phased in. So the consistency of that phase-in is a weakness in this bill.

If the bill were stronger in the time frame of how that phase-in process is going to work, it would give less flexibility to future governments to tinker with it, and that would be a good thing. Allowing the flexibility for future governments to tinker would also slow down the process of phasing in these regulations. Even though it is a long way out, I don't find the timeline as difficult to deal with as I do the lack of specifics in the bill to ensure that timeline is not only met, but not changed or tinkered with too much, because all that tinkering will slow it down. The fact there is no money to go with it is also a huge concern.

The bill talks about the accessibility standards "that will identify the class of persons or organizations to which it applies. The standard will require those persons and organizations to implement measures, policies or practices or do such things as are specified in the standard in order to identify and remove, and prevent the erection of barriers for persons with disabilities with respect to goods, services, facilities, employment, accommodation, buildings, structures or premises."

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These are the kinds of things these committees are going to look at. If you can read that government doublespeak, as it were, all the things that the committees are going to look at, you can imagine how a committee is going to deal with all of those things. It's going to take a long time. It's going to be bogged down, and all of those people on those committees are going to have different viewpoints on how best to deal with those areas.

The bill will also require "the minister to establish a process for the development of accessibility standards, which shall include the establishment of several standards development committees." Well, here are some more committees that are going to cost money—money that isn't going to be available for the construction of a barrier-free society, but money nonetheless that is going to flow into the process.

"Accessibility reports are required to be filed by persons or organizations to which an accessibility standard applies with a director for his or her review." Again, there are going to be people in charge of doing this and that, there's going to be a lot of paperwork shuffled around, but there's not going to be any money for making a barrier-free Ontario for disabled people. That's too bad.

There's also part VII of the bill, which I found interesting. It "requires municipalities of at least 10,000 inhabitants to establish or continue an accessibility advisory committee in accordance with section 29." I didn't understand why that population level of 10,000 was established. I'm sure there are disabled people in every community of every size in Ontario, and I should think that each and every one of those communities should be



available for it. Will this bill only apply to communities of 10,000 inhabitants or more, or is it something that is going to apply to each and every Ontarian across the province of Ontario, as it should? That's an important question that perhaps should be answered by the government.

There are a number of people who have given quotes as to their approach to this bill. One of them is Patricia Copeland from Barrie. She says: "The current provincial government has not defined who will pay the cost of retrofitting public facilities. There is no set criteria needed for private sector incentive programs to help private property owners retrofit existing properties.

"In fact, there is no financial plan for this 20-year, phased-in policy proposal currently before our provincial elected representatives for debate. Using tax money to ensure that all citizens have full access to public and private properties is money well spent, but municipal governments are seeing local tax increases climb every year because of provincial downloading."

I agree with Ms Copeland that there is no money in this bill to create this barrier-free access, and that's too bad.

She goes on to say: "In fact, I find it amazing how often government tries to play the game of 'everything that is old is new again' with policy-making. The Liberals are using tested product marketing techniques to sell us all on their version of Bill 125. It reminds me of the original Coke being upstaged by the new Coke. Frankly, when you cut through the advertising hype, it was still just Coke to most of us." Perhaps that's what this bill is too: It's just Coke.

#### *Interjection.*

**Mr Chudleigh:** Yes. I too hope there's not; I hope that there's genuine progress on this so that the handicapped in this province can move forward.

One of the things that will make this bill successful as it moves forward, is if the economy of this province continues to be strong. Third World countries don't have the luxury of debating these kinds of regulations, and if they do, they certainly don't have the luxury of enforcing them, as Ontario does, as a strong economy. As we move forward with a strong Ontario economy, that will allow us the luxury of affording to do some of these things that any just society in this world should do for its citizens, particularly its most vulnerable citizens.

Building that strong economy is so important in today's world, especially now that our Canadian dollar is escalating. It's coming close to its more traditional level of 85 cents. There are suggestions that the Canadian dollar may be at par in a year and a half or two years, especially as the Americans continue to try to devalue their dollar. There are economists who suggest that the American dollar has to devalue by about 20% in order to maintain the American economy. Even though they are in tremendous deficit, their deficit and debt, of course, are still rather modest compared to their GDP. But if the Canadian dollar continues to escalate, it is essential that we position our economy and our business environment

to withstand that kind of increase with our major trading partner. I think something in the order of 30% to 35% of our gross domestic product is due to exports to the United States, and even a small decline in those exports creates a huge problem in our economy.

As we move forward in the next year or two or three, we're going to find, with a rising Canadian dollar, more and more pressure being put on our export sales. That could put our economy into a very difficult situation, perhaps even more in Ontario than in the rest of Canada, because our auto industry is very dependent on what happens in our export markets. That can be a very important thing.

I would suggest to you that if our economy tends to weaken, which I believe it will, especially with some of the policies we've seen being put in place that are not business friendly, unfortunately, bills like this, which don't have any money attached to them, will not be able to find that money as our budget process tightens in the years to come. That's why I would like to see something, certainly in regulation if not in the bill itself, that commits the government financially to ensure that these things happen.

There was an interesting article in the Toronto Star on October 13, 2004, by Richard Brennan, who talked about how "Tougher standards will ensure Ontario will be barrier-free for disabled persons in 20 years, Premier Dalton McGuinty said yesterday before legislation on accessibility was introduced at Queen's Park...."

"The new standards forcing construction of such things as wheelchair ramps will be phased in after consultations with businesses and the disabled."

That may take some time. The economic decline of Ontario may be already happening by the time that happens.

The minister who introduced the legislation has said there will be tough penalties and fines. I mentioned that there is no mention of finances in the bill. Perhaps I was not correct in that, because there is mention of finances. There are \$50,000 fines for individuals and \$100,000 fines for corporations. Maybe some of that money should be redirected to help people construct those ramps and other accessibilities—elevators and such. It's an important part of the act, and one that I would certainly like to see.

I think it is a very important piece of legislation. A lot of work was done by the member from Burlington in the past, and he certainly deserves a lot of credit for this, as does the minister for bringing forward an excellent piece of legislation. With a few adjustments, I think this could be an even better piece of legislation.

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**The Acting Speaker:** The Chair recognizes the member from Trinity-Spadina.

**Mr Marchese:** I just want to say to the people watching that it's 9:08. I didn't say before, "Welcome to this political channel," and I wanted to tell you now. We're still on live. We've got another 20 minutes, so don't go away.



I want to say, so as not to be misunderstood, that New Democrats will support this bill. But I do want to qualify, so people understand, that it's not because Bill 118 is a radical or revolutionary bill but because it is an evolutionary step in the right direction, so it's really hard to oppose it. It really is hard. Listening to what the member for Halton said is very revealing, because if he can support it and Conservatives support it, with some mild criticism of it, this is really taking baby steps.

Remember, the Conservative Party is the voice of business, the instrument of business. We haven't heard one Conservative member say, "This bill is really a worrisome one for business. They really don't like it. They've got problems with it." They haven't said that, which is a further indication that the bill is harmless. In fact, the member from Halton said it doesn't go far enough, which is what New Democrats are saying. Imagine Tories saying the bill doesn't go far enough. If even they can say that, this bill, indeed, is hardly revolutionary, hardly bold, hardly ambitious, but a very modest step in that direction. So how could you oppose it, I suppose.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured and glad, as we go toward closing this session, that the opposition is moving slowly toward supporting—fully—our bill.

**Mr Marchese:** Because it's a bold bill.

**Mr Ramal:** It's a bold bill. But still, I'm upset about the position of the leader of the third party and the member from Trinity-Spadina not considering this bill an historic step toward eliminating the problems facing people with disabilities in this province.

**Mr Marchese:** You're sad that we don't consider it historic.

**Mr Ramal:** I'm sad. Before we finish tonight, you should stand in your place, if you get a chance, and apologize to the ODA committee for your position.

**Mr Marchese:** I'm going to do my best.

**Mr Ramal:** I hope so.

Anyway, to go back, I was listening carefully to the member from Burlington, who was a minister of the crown at the time and introduced the ODA Act, 2001. I agree with him: It was a good step back then, and it was courageous.

**Mr Marchese:** Courageous?

**Mr Ramal:** Well, back then, because that minister worked hard on it. He worked against the direction of his government, which didn't believe in disabled people as they exist in this province. That's why I consider it an historic step back then.

But that bill had no teeth. That's why our minister and her team worked hard to bring in the AODA Act, 2004, to put teeth in it, to put in regulations and rules to implement it and a mechanism to enforce it.

*Laughter.*

**Mr Ramal:** I guess the third party is not taking this issue seriously in this place, as we are working hard to work with the disabled community, the disabled people

in this province, to implement and propose a strong bill. Hopefully, they'll believe in it and support us.

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to comment on my colleague the member for Halton's remarks on Bill 118. I enjoyed the one-hour presentation as well by my colleague the member from Burlington, who certainly has done a great deal of research over many years on this particular file.

I'm very pleased that the minister is here listening to debate this evening. I wish the same could be said for the Minister of Municipal Affairs in this afternoon's session, when I was responding to Bill 26. But unfortunately, I did not have the same courtesy the minister is giving us tonight, which we appreciate. The same courtesy was not given by the Minister of Municipal Affairs this afternoon, which is regrettable. The same courtesy was not given by the Minister of Municipal Affairs this afternoon, which is regrettable.

I also remember, when I was responding to first reading of Bill 135, the minister walked out of the House during my remarks. Maybe he's not interested in what opposition members have to say about the legislation. But I do know the minister representing the Hamilton area is here this evening, which we greatly appreciate.

I always enjoy the member for Halton, who speaks with great experience both from the business and the community involvement side. You could hear that in his remarks. He waxed somewhat nostalgic about our time back in 1995, when we had a chance to speak for the first time in the House.

I do find it passing strange that a lot of my colleagues who have been elected for the first time, who seem like very nice folks, rarely, if ever, use up the time they've been allotted, while we on this side find ourselves constrained. We have more to add to these bills and more suggestions. It's very rare that you find a Dalton McGuinty Liberal who's willing to take the total time that he or she is allowed. Maybe we'll have some sort of incentive program or maybe some sort of group approach, where we'll encourage them. When they hit that 10-minute mark—

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** Quality over quantity.

**Mr Hudak:** Well, I don't know about the quality either, but I'll get to that in another two-minute hit.

Maybe we'll have some sort of program or reward system when they fully reach their 20 minutes.

**Mr Jeff Leal (Peterborough):** It's a delight for me to take the opportunity to talk about Bill 118. We have a long history in the city of Peterborough of supporting people with disabilities. I see my friend from Burlington is here. I think he would remember meeting with councillor Lois Hart Maxwell when he was doing a tour of Peterborough.

I'll give you some history. Lois and I were elected in the same election in 1985, and she became a member of Peterborough city council representing the Northcrest ward. I know Lois likes to watch the proceedings of the

Legislature, so she may be tuned in this evening at precisely 9:15.

But to give a bit of history about Lois Hart Maxwell, she was an individual who had suffered from polio and had a disability as a result of polio. She became very interested in wanting to bring about changes for the disabled community in the city of Peterborough, so much so that she stood as a candidate in the 1985 municipal election in Peterborough, and she got elected. One of the first things Lois Hart Maxwell set about doing at council after 1985, along with Mayor Sylvia Sutherland, who is still the mayor—she showed dynamic leadership during the flood of July 15, 2004—and the rest of council at that time, was to set up one of the first councils for disabled people in the city of Peterborough.

One of the reasons that was so significant was we actually allocated a budget for the council for disabled people in Peterborough. Through that process, they went through the community and identified public buildings within the city that were not accessible at that time for many citizens in our community. So through Lois's activity and setting aside dedicated money for the disabled—

**The Acting Speaker:** Thank you. Response?

**Mr Chudleigh:** I'd like to thank the members from Trinity-Spadina, Peterborough, Erie-Lincoln, and Etobicoke North for their kind comments—

*Interjection.*

**Mr Chudleigh:** And the member from Kitchener, too?

**Mr Martiniuk:** London.

**Mr Chudleigh:** London. I would like to thank all the members who made kind comments about my—

**Interjection:** Mazzilli's riding.

**Mr Chudleigh:** Yes. I don't know if the government knows this, but we always refer to you as the Conservative member whom you defeated. That's your nickname, in case you didn't know. But I would like to—

**Hon Mrs Bountrogianni:** Trevor Pettit.

**Mr Chudleigh:** Trevor Pettit, yes. No, we don't refer to you as Trevor. The minister is not referred to as Trevor.

But thank you very much for your comments, and I appreciate the time this bill has had in this Legislature. It's interesting that there's an awful lot of support in this Legislature for this piece of legislation. It could become a bill that is truly a bill of this House if, after second reading, it goes into committee and it has hearings—I'm sure we'll have hearings around Ontario; I believe they're slated—and then we will have the amendments that come before the committee and the final reading. I'm sure there's an opportunity in there to make this truly a non-partisan bill if the government will listen to a few amendments that I think perhaps could make this bill an even stronger piece of legislation.

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With that thought, I look forward to the hearings. I look forward to the participation of the disabled communities and the communities that will be affected by this legislation, as we move forward with this bill.

**The Acting Speaker:** Further debate? The Chair recognize the member from—let's see here.

**Mr Brownell:** Stormont-Dundas-Charlottenburgh.

**The Acting Speaker:** Yes, Stormont-Dundas-Charlottenburgh. Sorry about that.

**Mr Brownell:** Yes, eastern Ontario. It is a delight tonight to have the opportunity to stand in the House to speak on the second reading of Bill 118. I was not here the other day when Dr Bountrogianni and the member from London-Fanshawe, the parliamentary assistant, got up to speak. But they did a wonderful job here in the House to set the stage for what this bill is all about. I did have the opportunity of watching it on television. I have constituents who watched it on television. My mother, who is disabled, has had a hip and a knee replaced, walks with a cane and struggles to get up the steps, struggles to get around. I know that she watched, and I know that she appreciated the words from these two people.

I know that she would be very proud of me standing here tonight, speaking in support of this bill, saying it is important for Ontario.

**Mr Leal:** She's a great lady, Mrs Brownell.

**Mr Brownell:** You bet you. Having raised 12 kids, of course.

*Interjection.*

**Mr Brownell:** Right. I also speak here tonight of a few other situations that I have seen. I did see the Minister of Community Safety and Correctional Services in his struggle here in the House. This is what it's all about. He walked those steps, and understood where the disabled were in this province.

I look at the letter that I received not long ago from Nancy in my riding. I hope Nancy is watching tonight. I know my mother is watching, so mother can bring back word to Nancy. Nancy wrote to me not long ago about a new doughnut shop built in my city. I think we probably have more doughnut shops than any other city in Ontario and Canada. Anyway, Nancy wrote to me about a brand new doughnut shop built in the city of Cornwall. She said, in her letter to me, "This is a brand new facility. Why are there not the capabilities built into the structure for those who are disabled in this day and age?" She's absolutely right. In this day and age, today, we should have all those accessibility issues built into the construction. That is in some of the notes I prepared as I had hoped to get a chance to get up here and speak about what Nancy wrote about. Those are the things we have to tackle within the next few years.

I heard a comment in here tonight that it's going to take many years. This is going to unfold in such a way that we will see Ontario totally barrier-free for those who are disabled. I look forward to the day when Nancy and all those others who struggle with their disabilities—and I want to speak for Nancy also, because I remember when I was a young fellow trying to earn some money, I babysat at her house. I babysat Nancy and her brother, who was disabled. I remember the struggles that Brian had in life as his parents tried to overcome the barriers that were there. I know they would be very proud tonight



that I'm taking a few minutes of time here to say that, in my constituency, I have listened. I have understood that it's the same across the province. We've all received these messages. I'm sure that in Peterborough you've received these messages; I'm sure that in Hamilton you've received these messages—

**Mr Lorenzo Berardinetti (Scarborough Southwest):** Scarborough.

**Mr Brownell:** —in Scarborough you've received messages that there are these barriers that have to be overcome for the disabled.

I do know that we have a strong tradition in Ontario of fairness for all, and fairness for the disabled is high on our list because they have been struggling for so long to have what the abled have here in our province, and that is accessibility to our restaurants, accessibility to our museum sites. I look at museum sites: I gave up a presidency of 11 years with the Lost Villages Historical Society, where we developed a museum. I think they have about 11 historic buildings at that site. Those dedicated volunteers are working now to make all those historic structures barrier-free, so that everyone can come to the Lost Villages Historical Society museum site and travel into all the buildings and enjoy the history and heritage. I had to bring that up because I'm totally committed to history and heritage in the riding, too.

But those sites have been hidden from opportunity for those who are disabled. It's time to unlock and open up and allow for every Ontarian to have those rights. I think that just follows on the human rights that we have been championing in Canada for so long. Certainly, with our Ontario Human Rights Commission and our codes and whatnot, we really value the disabled. I think with this legislation—and it's wonderful to hear in the House that, although the opposition members have said there are perhaps some flaws, they're going to support it. But it's wonderful that they will stand in the House and commit. Because we have to. It's time long passed for those elected to Parliament and those who stand in this House to say, "Yes, we're in it for all Ontarians."

We've learned a lot from other jurisdictions. We've learned from the States, from the United Kingdom, from

Australia. But do you want to know what? We are building on what we've had here in the past. We can go to these countries and learn, but we've already had acts in the past. We want to build on them; we want to make them stronger. I think this is exactly what the minister has introduced here in the House with Bill 118: giving more opportunity, more value to what this is all about in Ontario, to all Ontarians.

My good friend from Ottawa-Orléans talked about Charles Matthews being a champion for the rights of the disabled in Ottawa. Just about a month and a half ago, I had dialogues on my BlackBerry with Charles Matthews. I had never met him before, but I had somebody in my riding who really needed some help, and he championed and has continued to help out this individual. It was just a few weeks ago that I made a special trip back to Ottawa to city hall, where I met Charles Matthews. The information I learned from Charles Matthews—unbelievable. He indicated at that time the barriers that were there.

I went back to Ottawa when the member from Ottawa-Orléans hosted Dr Bountrogianni in his riding not long ago. It was wonderful to have the expertise, the knowledge and the words that were expressed by Dr Bountrogianni that day at that meeting. It was wonderful, and I know how much it meant to people like Charles Matthews and those others who were there in chairs and those others who continue to champion that cause. This is going to mean a whole lot to those individuals. I just had to mention Mr Matthews. I know that my good friend from Ottawa-Orléans has had a long association with him through his work at city hall in Ottawa. He is doing remarkable work, as are other members from my riding, for the disabled.

I'm delighted to have had this opportunity. I think it's just about that time. Thank you very much.

**The Acting Speaker:** That's a very astute observation. It being almost 9:30 pm, this House stands adjourned until 1:30 pm tomorrow.

*The House adjourned at 2130.*

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		Oak Ridges	Klees, Frank (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ottawa-Orléans	McNeely, Phil (L)	Thunder Bay-Superior North / Thunder Bay-Superior- Nord	Gravelle, Michael (L)
Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timiskaming-Cochrane	<b>Ramsay, Hon / L'hon David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard</b> (L) Minister of Education / ministre de l'Éducation	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Smitherman, Hon / L'hon George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Perth-Middlesex	Wilkinson, John (L)	Trinity-Spadina	Marchese, Rosario (ND)
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Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Waterloo-Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	Flaherty, Jim (PC)
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Willowdale	Zimmer, David (L)
Simia-Lambton	Di Cocco, Caroline (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon / L'hon Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Sault Ste Marie	Oraziotti, David (L)	Windsor-St Clair	<b>Duncan, Hon / L'hon Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York Centre / York-Centre	<b>Kwinter, Hon / L'hon Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough East / Scarborough-Est	<b>Chambers, Hon / L'hon Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York North / York-Nord	Munro, Julia (PC)
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Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin</b> (L) Speaker / Président		
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Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	<b>Bradley, Hon / L'hon James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 23 November 2004**

**Mardi 23 novembre 2004**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers



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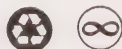
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 23 November 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 23 novembre 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### VOLUNTEER LIABILITY

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I rise in the House today to bring a matter to the attention of the Minister of Transportation and the Minister of Community Safety and Correctional Services. Last Friday, I met with Mike Henderson, the fire chief for the Northern Bruce Peninsula Fire Department. He informed me of a matter that needs to be addressed as soon as possible.

As many of the rural and northern members in this House know, when an automobile accident or fire occurs within an area covered by volunteer firefighters, it is common practice for several of the on-call members to travel to the scene of the emergency in their own vehicles, often flashing a green light, thanks to the good work of our colleague Ted Arnott.

The problem occurs when firefighters are responding to an emergency situation that is taking place on a road that has been closed by the police due to poor weather, or if the road that is closed is the fastest way to get to the fire hall or the scene of an emergency. Under the Highway Traffic Act, the definition of a fire department vehicle does not include personal vehicles used to respond to emergencies. Therefore, if a firefighter proceeds down a closed road, they are considered to be breaking the law, their vehicle insurance is deemed invalid and they are personally liable for anything that happens while they are travelling the closed section. It seems like a huge risk to take, especially when they are en route to serve and protect other people in trouble.

I would like the ministers to figure out what legislative or regulatory changes need to be made to solve this problem. I am more than willing to work with them to ensure that this issue is resolved quickly, because it is approaching that time of year when poor weather conditions will undoubtedly result in road closures. I have also spoken to the parliamentary assistant for transportation, Mr Lalonde, and I know he is working on it.

#### MINIMAL ACCESS SURGERY

**Ms Judy Marsales (Hamilton West):** I rise in the House today to thank Dr Mehran Anvari and his team for

their groundbreaking work in the field of minimal access surgery. Hamilton is home to a number of cutting-edge researchers and facilities, and it gives me great pride to tell you about one of them today.

Dr Mehran Anvari, the director of Hamilton's McMaster University Centre for Minimal Access Surgery, is part of a team of doctors, scientists and engineers, as well as astronauts, who are testing ways to provide care to people in remote environments where it's very difficult to access medical care. Recently, astronaut Catherine Coleman performed the first simulated gall-bladder surgery 19 metres underwater off the coast of Florida. Dr Anvari, who watched from St Joseph's Hospital in downtown Hamilton, coached Catherine through the procedures.

This technology would allow people in remote parts of Canada to have the same immediate access as patients in Hamilton to diagnostic tests and treatment in an emergency. I would like to thank Dr Anvari and his partners, McMaster University Centre for Minimal Access Surgery and St Joseph's Health Care, for keeping Hamilton on the forefront of medical technology.

#### ENERGY RATES

**Ms Laurie Scott (Haliburton-Victoria-Brock):** The price of electricity is a very important thing to the people of my community. Many people live on limited incomes. This government's energy policy will have a serious impact on many of the people in my riding of Haliburton-Victoria-Brock.

A large part of my constituency doesn't have access to natural gas as an alternative. They're forced to rely on electricity to heat their homes. Increases in electricity rates are especially difficult for seniors and others living on fixed incomes to bear.

Your energy policy and the higher electricity rates that are part of it will have a serious impact on Karen Shearer Layton, who resides in Dunsford. She and her husband are both retired and live on fixed incomes. Her hydro bill last March was over \$600. Since then, Hydro has estimated her bill at approximately \$100 per month for the months of June and July, in the middle of the hot season.

She is certainly not alone, but there is something that sets her apart from many of her friends and neighbours, many of whom have bills just as large as hers. She took the time to collect signatures from other people who have the same concerns about the high hydro rate and she sent them to me in order to give them to the Premier. I have



those here today with me, and on behalf of Karen and the 92 other people who signed, I'm going to send them across the floor so they can be delivered to the Premier.

### FOREST INDUSTRY

**Mr Gilles Bisson (Timmins-James Bay):** Yet again, the Minister of Natural Resources of the province of Ontario is not listening to what communities across the north are saying in regard to this government's move to change regulations within the sustainable forestry development act.

We know that the government has introduced in Bill 106 a provision that would uncouple the trees that are in the forest from local mills. We already know, for example, that in the town of Kirkland Lake, we saw a move a couple of years ago where the mill owner tried to shut the mill down and consolidate operations by moving the wood from the local Kirkland Lake forest into mills in Cochrane and Timmins. We know that's a bad idea because if we allow forestry companies to do that, we're going to see supermills across northern Ontario and we're going to see the closure of mills in communities like Kirkland Lake, Opasatika, White River, Chapleau and others, to the detriment of those communities.

So we're saying to the government: Listen, enough is enough. Northern Ontario residents deserve good representation when it comes to the Minister of Natural Resources. We know he's an honourable member; we know he wants to do the right thing. We're saying to the minister directly, withdraw your amendments on Bill 106. Those amendments, at the end of the day, will be job killers for people in northern Ontario, and I'm sure the government of Ontario does not want to be put in the position of having every mill closure in northern Ontario wrapped around its political neck.

I say to the government, this is the opportunity to withdraw that particular provision. If you withdraw it from Bill 106, you will certainly have the support of the New Democratic Party of Ontario, and we urge you to do so.

1340

### REGION OF PEEL EMPLOYEES

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I rise today to pay tribute to an organizational leader in my community.

I rise to acknowledge the collective efforts of all the employees of the region of Peel. The region of Peel is the first municipal government in Canada to achieve a silver level in the National Quality Institute's prestigious Canada Awards for Excellence, which recognize Canada's leaders in excellence for public sector organizations. By meeting the National Quality Institute's criteria, the region of Peel demonstrated that it is one of the 10 best-run organizations and a leader in organizational excellence.

The region's employees bring a spirit and a drive to succeed that have earned Peel its reputation as a leader in municipal government and have resulted in a government that offers real value to its citizens.

Last February, the region of Peel also became the first government in Canada to be certified at level 3 in the National Quality Institute's progressive excellence program. In achieving the level 3 designation, the region joined an exclusive list of Canada's leading corporations involved in continuous improvement through the National Quality Institute; among them, American Express, Delta Hotels, IBM Canada and the Bank of Canada. Few organizations, be they public or private, have achieved a similar level of success.

I am proud of the efforts of all the employees of the region of Peel, and I am proud to stand today and acknowledge the valuable services they provide to all the residents of Peel.

### ACCESSIBILITY FOR THE DISABLED

**Mr Cameron Jackson (Burlington):** Today I rise to comment on the disturbing and almost weekly trend of the McGuinty Liberal government of either making announcements that have already been announced or trying to suggest to the public that something new is of their design and of their making when in fact it is the law of the land and these programs exist.

One such example occurred last week on November 18, which is why the minister didn't announce it in the Legislature, about the new barrier-free requirements for provincial government buildings. The minister and members opposite should be aware that Bill 125, the Ontarians with Disabilities Act brought in by the previous government, made it the law of the land that all Ontario government programs, their buildings and their services must be fully accessible within 10 years under the regulations contained in that legislation.

What's interesting is that rather than saying in the press release that the regulations being announced are the ones that have been worked on by disabled persons in this province on the first Accessibility Advisory Council in a secretariat in Canada, here in the province of Ontario—they have been working hard for over two years. Their recommendations are being implemented. But what's interesting is, the government now does not put a dollar budget figure attached to each ministry's costs to become accessible. Why? Because they have cleverly buried within Bill 118, their accessibility act, that they, the government, can now take 20 years to make services in this province accessible, when the previous government would have done it in 10.

### ALPHONSE DESJARDINS

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Je suis heureux de commémorer aujourd'hui le 150<sup>e</sup> anniversaire de la naissance d'Alphonse Desjardins, un grand innovateur qui a développé une formule originale

de coopératives de services financiers. En conséquence directe de ses travaux, on trouve aujourd'hui en Amérique du Nord plus de 10 000 caisses populaires et « credit unions » dont les actifs atteignent près de 900 milliards de dollars.

Né à Lévis, au Québec, Alphonse Desjardins fonde la première caisse dans cette ville en 1900, avec la collaboration de son épouse, Dorimène Desjardins.

En Ontario, M. Desjardins a collaboré en 1908 à la fondation de la Civil Service Savings and Loan Society, avant de fonder en 1910 la Caisse populaire Sainte-Famille d'Ottawa.

Les Ontariens profitent aujourd'hui de plus de 250 caisses populaires et « credit unions » dont les actifs dépassent les 20 milliards de dollars. Le Mouvement des caisses Desjardins est devenu la sixième institution financière au Canada. Les activités de Desjardins et des caisses populaires de l'Ontario dans notre province représentent maintenant plus de 2 000 emplois.

Dans le secteur culturel, par exemple, l'engagement du Mouvement Desjardins dans nos communautés est d'autant plus important. Desjardins commandite le spectacle *L'Écho d'un peuple*, présenté par Francoscénie, qui rappelle l'histoire des Franco-Ontariens, de même que le Toronto Symphony Orchestra et l'exposition Picasso et la céramique, présentement en cours ici à Toronto.

S'il était parmi nous aujourd'hui, Alphonse Desjardins aurait bien raison d'être fier de cet héritage.

## EDUCATION FUNDING

**Mr Lou Rinaldi (Northumberland):** Education is key. It's key for a good future for the children and youth of this province. To ensure that our children and youth have the resources they need to succeed, we need to invest in resources—resources like teachers, including primary teachers, resources like guidance staff to help our young people grow, and resources that give young people the opportunity to grow beyond the classroom.

That is why we are investing in our schools. Schools like St Mary's Elementary School in my riding will benefit from smaller class sizes. They will have smaller class sizes because funds directed to the Peterborough Victoria Northumberland and Clarington Catholic District School Board will allow for the hiring of at least nine new primary teachers.

Other schools in my riding such as St Joseph's, Notre Dame and St Anthony's will benefit from learning opportunity grants, and schools like St Mary's Secondary School will benefit from the student success initiative, giving grade 9 students the opportunity to participate in a work placement.

Board by board and school by school, we are ensuring that not only do our children get the best possible start in school, but that we have a system in place to help them grow as individuals throughout their time in our education system. When we invest in children and youth, we invest not only in them and their future, but we invest in all of us.

## MENTAL HEALTH SERVICES

**Mr Khalil Ramal (London-Fanshawe):** I rise today to speak about the work the McGuinty government is doing in the field of mental health. For too long, mental health has been an unspoken health problem, and Ontarians with mental illnesses were not getting the care and support they needed and deserved in their communities.

That has begun to change. This government has invested an additional \$65 million this fiscal year to serve an additional 13,650 clients in our community mental health services. That money represented the first increase in funding in 12 years. That's 12 long years that community mental health programs in Ontario have been underfunded and underappreciated. This figure will rise to \$185 million by 2007-08.

David Kelly, the executive director of the Ontario Federation of Community Mental Health and Addiction Programs, had this to say about the new money: "We're very excited that after 12 years the Minister of Health and the government of Ontario have recognized the need to support addiction and mental health programs based in the community. It's fantastic."

Susan MacPhail of London East Community Mental Health Services said, "We have been underfunded and undersupported for so many years that I believe this is the beginning of a new era."

I am proud to be part of a government that recognizes and is willing to invest in community services.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mrs Liz Sandals (Guelph-Wellington):** I beg leave to present a report on science and technology from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon Alvin Curling):** Does the member wish to make a brief statement?

**Mrs Sandals:** Just briefly, this represents the work of the public accounts committee on the science and technology research investments in what is now the Ministry of Economic Development and Trade.

**The Speaker:** Are you moving the adjournment?

**Mrs Sandals:** I moved the adoption of the recommendations, Mr Speaker.

**The Speaker:** I presume you are also moving the adjournment of the debate.

**Mrs Sandals:** If that would be appropriate, I would like to do that as well.

**The Speaker:** Ms Sandals has moved the adjournment of the debate. Is it the pleasure of the House that the motion carried? Carried.



1350

## INTRODUCTION OF BILLS

### CELEBRATION OF HELLENIC HERITAGE ACT, 2004

#### LOI DE 2004 SUR LA FÊTE DU PATRIMOINE HELLÉNIQUE

Mr Duguid moved first reading of the following bill:

Bill 150, An Act to proclaim a day and a month to celebrate Hellenic heritage in Ontario / Projet de loi 150, Loi proclamant un jour et un mois de fête du patrimoine hellénique en Ontario.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Brad Duguid (Scarborough Centre):** The Hellenes, the Greeks of today, are proud descendants of a culture that originated in the glorious civilization of ancient Hellas. Many of the ideals and institutions upon which modern civilization is based, such as democracy, were first developed by the ancient Greeks.

Today, over 100,000 people of Hellenic descent thrive in Ontario and make significant contributions to the economic and social fabric of our province. One such contribution, of which I'm very proud, is the new Hellenic Home for the Aged, which opened on August 6 of this year in my riding of Scarborough Centre.

In honour of the Greek community in my riding and in recognition of all people of Hellenic descent living in Ontario, this bill would proclaim March 25, Greece's national day, as Hellenic Heritage Day and the month of March as Hellenic History and Heritage Month.

There's no better time to talk about our Hellenic heritage than when this government is introducing democratic reforms and has shown its commitment to those. When we look at what has happened in the last year, with the Olympics in Greece and with the recent soccer victory, I think the timing is perfect to consider this kind of bill.

## VISITORS

**Hon Leona Dombrowsky (Minister of the Environment):** On a point of order, Mr Speaker: I'd like to recognize, and I know members of the Legislature would like to join us in welcoming, members of the Provincial Council of Women of Ontario, who have been meeting in the Legislature for the last two days. They are in the government members' gallery, and they are led this year by their president, Milica Kovacevich.

**The Speaker (Hon Alvin Curling):** While we welcome the group here, it's not a point of order. But we do welcome them.

**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker: I have the distinct honour to introduce to this House a very special person, the Consul General of Romania, Mr Teculescu. Let's welcome him. He's on the opposition side.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** On a point of order, Mr Speaker: May I take the opportunity to introduce the former mayor of the town of Ajax and former chairman of the region of Durham, Mr Jim Witty.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### AGRICULTURE INDUSTRY

**Hon Steve Peters (Minister of Agriculture and Food):** I'm pleased to be able to tell the Legislature and the citizens of Ontario that we are moving forward with two distinct initiatives designed to address immediate and mid-term financial needs of Ontario's agricultural community.

The first, which will ease the financial crisis facing our ruminant livestock producers as a result of the May 2003 discovery of BSE in an Alberta cattle herd, is this government's commitment to provide cash advances through the Canadian agricultural income stabilization program, the CAIS program. These dollars will flow through the CAIS program to eligible producers.

This undertaking is one element of the national BSE repositioning strategy announced earlier this fall. This six-part strategy is designed to facilitate an increase in abattoir capacity in this province; sustain the industry until that increased capacity comes on stream; deal with older cows; provide cash flow assistance; find new markets for Canadian meat; and, most importantly, reopen the border with the United States to the trade in live animals.

Ontario has already taken steps to increase its abattoir capacity and to develop new markets for Ontario's meat products through the \$10-million cull animal strategy, which was introduced this past February. On September 27, Premier McGuinty announced that the province would provide up to \$30 million toward the set-aside programs of this repositioning strategy. The programs encourage cattle producers to hold animals back from slaughter by providing financial assistance to offset the costs associated with feeding livestock over a longer period. At that time, the Premier also told the industry that we would do everything in our power to find the additional funds necessary to join with the federal government in providing advances on the 2004 CAIS benefits for eligible ruminant producers. We have found that money: as much as \$16 million. All told, the BSE repositioning strategy could put as much as \$100 million into the pockets of Ontario farmers.

The second initiative will see the McGuinty government, in partnership with Ottawa, deliver \$172 million over the next three years through short-term, Ontario-specific programs designed to complement the two national business risk management programs as industry and government work together to make the transition to the CAIS and production insurance. This funding an-

nouncement includes support for the self-directed risk management program for the fruit and vegetable industry. As well, we'll soon be making an announcement on the market revenue insurance program for the 2003 and 2004 crop years.

As you know, Ontario's agricultural sector is the most diverse in the country of Canada, and these companion programs play an important role in addressing the unique needs of this province's agricultural industry. Securing the continuation of these programs over the short term is a key element in moving us closer to our vision of a strong and sustainable agricultural sector, where greater income stability contributes to increased competitiveness.

When we have completed this transition, our farmers will be able to rely on CAIS, the program I mentioned previously, which is designed to protect them from both small and large declines in their farm incomes, and on an expanded package of production insurance plans. In the interim, however, Ontario's producers will have the support of the programs that they value as effective business risk management tools. But our goal is to work with the industry to improve and expand the coverage available to this province's producers through production insurance which will provide alternative, long-term solutions to help manage the business risks associated with farming.

We have in fact already begun this undertaking, and we are making excellent progress, but this government fully appreciates the severity of the situation facing our farmers right now. We understand that we must provide this financial assistance for their immediate short-term needs.

We are confident that our long-term approach to income stability will better position our agricultural sector to grow and compete in global markets. That is good news for Ontario's farmers. And it's great news for all Ontarians, because a strong and competitive provincial agriculture sector is a key factor in ensuring that all Ontarians enjoy a quality of life that is second to none.

When you go to that grocery store, buy local, buy Ontario, buy Canadian. If you ate today, thank a farmer.

1400

### LONG-TERM CARE

**Hon George Smitherman (Minister of Health and Long-Term Care):** I am proud to rise in my place today to talk about an important part of our plan to change the culture of long-term care in this province and to improve the lives of seniors receiving that care. I am referring to the new regulation governing the placement of couples in long-term-care homes.

Almost since the day I became minister, I have had a very clear objective with respect to long-term-care homes in this province. It is an objective I have shared with Premier McGuinty, whose passion and commitment in this regard are equal to my own.

It is this: Long-term-care homes in Ontario must be "homes." I can tell you that nobody in my ministry, nobody on this side of the House, refers to long-term-

care "facilities" any more. That word is a throwback to a previous government and an outdated way of thinking. It is a word that does not do justice to the warm, dignified, community-based culture we are bringing to long-term care and the people receiving it.

It was in the interest of dignity and community that we introduced the regulation making it easier for couples who have spent much of their lives together to stay together when the time comes to move into a long-term-care home. Effective October 22, a higher priority for placement in long-term-care homes is being given to couples who are both eligible for admission based on the care requirements. Only people in crisis will receive a higher priority.

This is a simple matter of decency and respect.

Changes introduced in 2002 by the previous government slowed down the process for couples who want to spend their long-term-care years together. We believe this was wrong. How can we presume to call these places homes when the people in them have been separated from their partners in life? How can we not see that a critical component of the care we are trying to give in these homes is the kind of love, support and companionship that couples give to one another?

Quality of life, happiness, joy: These things increase in the presence of loved ones, and we want more of that for long-term-care residents.

My colleagues may remember that this initiative was recommended last May by my parliamentary assistant Monique Smith in the groundbreaking report she prepared on long-term care in this province. It is part of our overall action plan to change the culture of long-term care in Ontario.

*Applause.*

**Hon Mr Smitherman:** That's for Monique.

I have spoken many times of a revolution in long-term care, and that is exactly what has taken place these past few months.

We invested additional funding of \$191 million beginning this year to hire 2,000 new staff, including 600 nurses. We're requiring a higher standard of care, reinstating the requirement that a registered nurse must be on site 24 hours a day and ensuring that residents receive at least two baths a week. We increased the comfort allowance for long-term-care residents for the first time in 19 years and froze their accommodation fees for the first time in 11 years.

We are giving residents and their families more of a voice through residents' and family councils. We have adopted a policy of unannounced inspections of homes, and strengthened enforcement and accountability to ensure that seniors are treated with dignity and with respect. Just last week we launched a Web site to provide detailed information to seniors and their families about individual homes, including the results of the ministry's annual inspections.

To engage long-term-care residents, their families, long-term-care providers and other concerned Ontarians in a dialogue about the future of long-term care, we



recently released a discussion paper. It is now available on the Web, in long-term-care homes, seniors' centres, community care access centres and libraries across the province of Ontario.

Next year we propose to introduce a new long-term-care homes act, first promised in 1993, a comprehensive modern piece of legislation that will, over and above all else, put residents and patients first. Putting people first is exactly what long-term-care homes should be doing, and it is exactly what the government is doing.

Ontario seniors deserve the best care we can give them. They deserve comfort and respect. They deserve to live in a warm, caring community that feels like home.

The expression "home is where the heart is" should be as true for our seniors as it is for anyone else. A move into a long-term-care home should not mean a separation from the person with whom you've shared your life, and we are determined to see that, wherever possible, it will not be.

**The Speaker (Hon Alvin Curling):** Responses?

#### AGRICULTURE INDUSTRY

**Mr Ernie Hardeman (Oxford):** First of all, I want to congratulate the minister, not on the announcement but in fact the title of the announcement. I'm very pleased to see that finally the minister has realized there is a cash flow problem in agriculture in Ontario.

Incidentally, the minister made this announcement yesterday, but there was great confusion because of the way the announcement was written. No one, including the farmers I talked to, could understand what he was actually announcing, whether there was anything new in this announcement from what he had announced three or four times prior to this.

It became quite obvious this morning when I received my local paper that there is absolutely nothing new in this announcement, and that comes directly from the minister. It's from the London Free Press: "Peters conceded the money isn't particularly new, but its arrival should prove timely for farmers in a pinch. Some is being advanced from funds intended to be paid next year."

One of the things I want to tell the minister is if he would just get some of the money out that was due last year to our farmers for this year, the 2003 CAIS payments, that would help a lot of these farmers who are presently having difficulty.

Mr Peters "told the Free Press the money was 'all part of the budget process. It's not like we are putting new money in. As much as we were criticized for our budget, these were things that were contained in the budget....'"

There is absolutely no new money in this program. It's just that that they're finally going to get their act together and start getting some cheques out to the farmers who have them coming.

He talks about the support being in two forms: \$172 million over the next three years for the business risk management program under the agricultural policy framework and \$16 million in income payments for the

BSE repositioning as part of the Canadian agricultural income stabilization program.

Everyone knows—at least the farmers know; I'm sure the minister does too and it's just an oversight—that the CAIS program is part of the agricultural policy framework. But that's not to take away from the announcement.

I also want to say that the Premier promised they would—and I think the minister had that in his statement: "At that time, the Premier also told the industry that we would do everything in our power to find the additional funds necessary...." I want to commend the Premier. He found the farmers' pockets to take it out of so he could give it to them. There's absolutely nothing new here that wasn't in previous announcements.

I just want to take one comment out here, and it was made through the Chesterfield Record by Jim Brownell from Stormont-Dundas-Charlottenburgh. It says, "I don't think they understand the struggles outside rural Ontario." He wasn't speaking about us; he was speaking about the minister and his Liberal cabinet colleagues.

**The Speaker (Hon Alvin Curling):** There is a lot of discussion going on and I can't hear the responses.

The member for Burlington.

#### LONG-TERM CARE

**Mr Cameron Jackson (Burlington):** I'm pleased to respond to this not-so-new news from the Minister of Health yet again on long-term care changes. The member, having been elected in 1999, may not be aware that on June 15, 1998, a regulation was brought into the province. In fact, I was the minister responsible. It was regarding discrimination in a nursing home in Dalton McGuinty's own riding, if one wants to check Hansard—and I have it here—from the debates of June 2, 1998:

"Today I am announcing these regulatory changes under the Nursing Homes Act, the Homes for the Aged and Rest Homes Act and the Charitable Institutions Act. Starting June 15, a person applying to join his or her spouse in a long-term-care facility in Ontario will be placed in a higher category for admission," and it goes on.

There is no change. The minister would be aware that if you have lived with another person in this province for over two years, you are defined in law as a spouse. All our regulations and laws have adjusted for that.

Minister, you did not get good advice from your parliamentary assistant. You did not get good advice from your own personal staff. Frankly, I thought you'd be standing on your feet to talk about other initiatives.

**1410**

What you didn't mention earlier is this issue around freezing the resident copay. You campaigned in the last election, you were in virtually every Conservative member's riding, saying that you promised—you and Dalton McGuinty—to roll back that increase. In your first year in government, you, as minister, increased the payment. You broke that promise. It was a \$90-million commit-

ment per year to seniors and the frail elderly in this province, and you still haven't corrected that. It will take four and a half years before they catch up to what you promised and said to the seniors of this province.

### AGRICULTURE INDUSTRY

**Mr Howard Hampton (Kenora-Rainy River):** Briefly to the Minister of Agriculture: I'm sure that farmers will be happy with this limited announcement insofar as it goes, but I think the minister needs to recognize that this is a small piece of the puzzle. This is perhaps going to help farmers over the next six or seven months, but most farmers in the beef industry will tell you that the problem is really going to hit after the next six or seven months. Most farmers have already used up their equity, remortgaged the farm, remortgaged the house, exhausted their line of credit and are in debt to their suppliers. What they need from this Liberal government and the Liberal government in Ottawa is a longer-term plan for financial stability, a longer-term plan for low interest loans so that farmers can begin to get back their equity and dig themselves out of the financial problem that the BSE crisis has created. We're still waiting to hear from the Minister of Agriculture on what the longer-term plan is.

### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** In response to the statement made by the Minister of Health, let me begin with his statement on page 2: "We invested additional funding of \$191 million beginning this year to hire 2,000 new staff, including 600 nurses." That is just not true. The fact of the matter is, in October when the announcement was made with respect to allocations to long-term-care homes, the allocation was \$116 million added to the base budgets of long-term-care homes, not \$191 million. I asked the question in this House to the Premier a couple of weeks ago and was told that the \$75 million—the gap that is remaining—will be used to pay for the new Web site, for a public reporting system etc. It is not money that is going to be added to base to increase nursing staff and support workers in those homes. So the minister should stop saying publicly that the government has invested \$191 million, because that is not true. And he should tell people just how many nurses and support workers are going to be hired, because the promise was 2,000, based on an allocation of \$191 million. The allocation is only \$116 million. How many new nurses, how many new personal support workers will actually be hired? Why doesn't the minister tell families and institutions that?

Second, the minister said, "We are requiring a higher standard of care by reinstating the requirement that a registered nurse be on site 24 hours a day." Do you know, Speaker, that the regulation to ensure that a registered nurse is on site 24 hours a day, seven days a week, does not go into effect until February 1, 2005? What is the reason for that delay, since the government promised that before the last election?

You should also note that the regulation regarding baths will only go into effect January 1, 2005. And people should know that the Liberal promise before the election was for three baths a week, and the new regulation only says two baths a week. So three baths a week are now down to two baths a week.

Far more importantly, this government promised that it was going to reinstate the 2.25 hours of hands-on nursing care per resident per day that had been cancelled by the Conservatives. They said that in a letter to SEIU before the last election. I wonder if the Liberal members know that during the estimates committee your minister said very categorically that he wasn't going to reinstate 2.25 hours of hands-on nursing care a day. He wasn't going to put a minimum standard of care at all by way of regulation. That will mean that homes that always operate to the lowest common denominator are going to continue to do so. Where is that promise made? That is now a promise that has been broken.

This government also said before the election campaign that it was going to roll back the fee increase that had been put in place by the Conservative government. This government has not rolled back the fee increase that was put in place by the Conservative government. The fee increase in the first year alone was over 7%, much higher than it would have been in the housing market. It would have never been allowed in the private housing market, and this government has done nothing about that promise to roll back increases.

Finally, if the government wanted to do something today with respect to the abuse of seniors in long-term-care facilities, they could pass the bill that stands in the name of our leader, Howard Hampton, Bill 47, which would place a positive obligation on anyone who works in a nursing home to report abuse. That's what the government could do today.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. If I could get the attention of the members, so I can announce the next proceeding.

### ORAL QUESTIONS

#### OMA AGREEMENT

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question for the Premier. Premier, yesterday a senior member from your office was quoted in the media as saying that your plan B for your failed OMA agreement was the same as your plan A, and that the rejection of your deal by Ontario's doctors did nothing to change your plan. It's unbelievable, even for a Liberal, that you were so presumptuous to believe doctors would accept your deal at face value. We've had indications for weeks that doctors were unhappy with this deal. You've had more than enough time to put a backup plan in place, and it's sheer incompetence that you haven't done so.



Premier, my question is simple, so you should be able to give us a straight answer. This morning you said the rejection of your deal does nothing to change your overall health scheme. Further, your health minister has remained noncommittal to resuming full negotiations with doctors. Is your plan B really a plan to impose this failed deal on Ontario's doctors?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** No, it is not. The Minister of Health has indicated that he'll be meeting with a representative of the Ontario Medical Association, and we will continue to work with our physicians and, in fact, all of our partners in the delivery of health care, as we execute our plan to transform health care in the province of Ontario.

It turns out that one part of that plan hinges upon our ability to enter into a good arrangement with Ontario's doctors, but there's a huge panoply of services that extend far beyond those that are delivered by doctors, and I listed those at some length yesterday. They include our new arrangement with hospitals, including the development of new accountability agreements; our plan to reduce wait times when it comes to services delivered in our hospitals; it includes the plan that we're bringing to our long-term-care centres, which was just further elaborated on by the Minister of Health, and the improvement of the quality of services that we provide there; and so on and so forth.

The point I'm trying to make is that we will work with our doctors to get this thing right, but we're doing many other things in many other areas as part of a comprehensive plan to transform health care.

**Mr Runciman:** The instability you're creating with your failed health scheme will do nothing to keep the 3,500 doctors currently considering retirement from retiring, or attracting new doctors, or preventing Ontario's doctors from moving to other, more competitive, jurisdictions.

What's more galling is your minister's blame game approach to dealing with stakeholders. This morning he blamed the OMA for not doing a good enough job of selling your failed deal to doctors. He's blamed hospitals for inciting fear over cuts that your government is forcing them to make. Then he blamed patients affected by the delisting of physio, chiropractic and optometry services for expecting those services to be covered under medicare.

Since your health care plan is failing and the person you've put in charge of the health file has proven to be a menace to stakeholders, is there anybody—anyone—in your caucus capable of restoring stability to our health care system?

1420

**Hon Mr McGuinty:** What the Leader of the Opposition is saying is that we should give up on a plan to improve the quality of health care for the people of Ontario. We will not do that. He's suggesting that we give up on primary care reform, suggesting that we give up when it comes to reducing wait times, suggesting that we give up when it comes to better managing the costs

connected with the delivery of health care. We are not prepared to do that. What we're trying to do here requires some considerable ongoing effort; there is no doubt about that whatsoever.

I want to make reference to something the then Honourable Jim Wilson said. I say it not to embarrass him; rather, it was an honest assessment of what he went through as Minister of Health. At the end, he said, "I regret that during my time as Minister of Health, I was unable to rally the support, beat back the bushes and actually do what's proper for the people of Ontario." Again, I say that not to embarrass him. I think it was an honest assessment of the amount of effort that is required—

**The Speaker (Hon Alvin Curling):** Thank you.

**Hon Mr McGuinty:** —to move the ball down the field. I accept that assessment. We recognize how important it is to move forward, and we will continue to move forward in the interest of the people of Ontario.

*Interjections.*

**The Speaker:** Order. Final supplementary.

**Mr Runciman:** The Premier wasn't so kind to Minister Wilson when he was minister.

Premier, this morning your health minister said your failed OMA agreement was meant to entice physicians into specialty areas and group family practices, and yet these are the very doctors who voted overwhelmingly against your offer. Who can blame the doctors? You've proven that your word means nothing, in reality. Remember your promise not to raise taxes? You failed. Remember your promise to reduce wait times? You failed. Remember your promise to open 1,600 new hospital beds? You failed. Remember your promise to give hospitals adequate funding? You failed. Yet you maintain that your plan will not change.

Premier, when will you smell the coffee and admit your health scheme is failing, and failing badly?

**Hon Mr McGuinty:** If I didn't know any better, I would have thought they rehearsed that one.

They have a plan B that they are asking us to adopt, which is to embrace the status quo, to pay doctors more so they can do more of the same, to give up on primary care reform, to give up on shorter wait times, to give up on our plan to proceed with more vaccinations for Ontario children, to give up on our plan to improve the quality of care in long-term-care centres, to give up on our plan to go ahead with investments to provide help right in the community for 78,000 more adults when it comes to mental illness issues. We're not going to give up on any of that.

Is there an issue between us and Ontario's doctors when it comes to arriving at an agreement? You bet there is, and we're going to work together with the doctors to get that right. But I can tell you that we will not give up on our plan to transform health care, to ensure that it's there in a better and more affordable way for the people of Ontario.

**The Speaker:** New question.

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier, and it concerns the rejection by Ontario

doctors of his plans for them and for Ontario's health care system. I want to ask, Premier, why do you think doctors in Ontario rejected this deal?

**Hon Mr McGuinty:** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I had the opportunity yesterday—well, it's a news clipping actually, but I just want to take the opportunity to tell the honourable member some of what I said yesterday. I think it was in the same sense that the first agreement their party negotiated with doctors did not receive support. They did a bit more work and eventually it did. The key point is that the honourable member can't remember the *Globe and Mail* front page from Friday, November 1: "MDs Reject Tentative Deal." It makes the point that the Premier just made: Yes, we have more work to do, but we'll do that work along the principles that we've established. We are not going to take the approach you did, which sees 142 communities underserved from the standpoint of doctors in local communities. We're not going to accept the idea that we simply pay more for more of the same. Change is often difficult. We've got some more work to do. We're a hard-working government, and we're going to get down to that work and get it done for the patients of Ontario.

**Mr Baird:** This is astounding. The Premier in this House could not name what he did wrong. He could not give us one reason why Ontario doctors voted against this deal, and I think that's part of the problem.

I say to the minister, if you don't recognize that you and your government made significant mistakes in the conduct of your negotiations with Ontario's doctors, you're bound to repeat those same mistakes.

Ontario's doctors, by a margin of 60%, have given your government's plan for health care reforms a huge vote of non-confidence. Across the province, many are starting to wonder whether they can trust you and your government with the future of their family's health care. Increasingly, working families in Ontario are questioning your government's competence.

I want to come back to my first question and ask you one thing, Minister: Can you name one thing that you'll do differently at this time when you try to clean up the mess that you've created?

**Hon Mr Smitherman:** The honourable member's amnesia is well kicked in today, and he forgets about the cruel record of their days in office. The fact of the matter is that, for eight years, you had the honour and obligation of running the health care file for the people of the province of Ontario, and the net effect of those days is very clear. It can be felt in an ever-present way in community after community across the province.

We did fall short on the weekend of the success that we'd hoped for, but the principles we brought to the table and the support that is there is support on which we will build. The fact of the matter is that, among those who are the future doctors in the province of Ontario, the younger ones who are practising, and a variety of others, we have a good basis of support.

We acknowledge that we have more work to do. What I have been impressed by, which is something I recom-

mend to the honourable member, is that many of those who did not support the deal have been far more tempered in their critique of it than the honourable member is. That is evidence that while there is some more work to do, we are going to be able to work with doctors to make the agreement one that enjoys a higher degree of support. This is incredibly important work on behalf of the patients of Ontario, and we will not stop.

**Mr Baird:** Let's look at what we've heard today. The Premier can't name one reason why doctors voted against this deal and the minister won't stand in his place and say one thing that he would do differently to clean up the mess that he created.

Let's look at why this deal went down in flames. You first tried to bully doctors by telling them that it was your way or the highway. Next, you tried to offer physicians a kickback if they would cut back on prescribing drugs to the frail elderly, the disabled and poor Ontarians. They voted against this deal because you seem to be out of touch with the reality that one out of six doctors in the province of Ontario is on the verge of retirement. Rather than listen to their concerns, you have tried to stigmatize and vilify them with your spin doctors. This agreement failed the doctors who are about to retire.

I want to introduce a new concept to you: It's called personal responsibility. Will you or anyone over there take some responsibility for the instability and for the mess that you've made of these negotiations?

**Hon Mr Smitherman:** We're very prepared to take responsibility for the agreement that we took forward. But I'm going to take that and share that with the negotiating team of the Ontario Medical Association, which, for nine long months, with a unanimous endorsement and a recommendation, did the work on the agreement.

The honourable member verges on the edge of absurdity when he tries to make the case that this was somehow an arrangement that the government on their own brought forward and imposed on doctors. The fact of the matter is that a negotiating team put forward by the Ontario Medical Association worked very hard for nine months on a very large and complex deal. While we agree that it hasn't met the favour that we had hoped for, we believe there is a strong basis in principle for being able to build on it.

This is the work that we are cut out to do and that we will do. We will do so without falling victim to the kind of rhetoric that the honourable member seeks to use—

**The Speaker:** Thank you. New question?

#### PRIMARY CARE REFORM

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Your doctors' deal has been voted down by the doctors themselves and, as a result, your plans for primary care reform in Ontario are stalled. Today, ordinary Ontarians are worried. They're worried about the instability your government's bungling has created for our health care system.



We say that you need to get all of our health care partners, like nurses and nurse practitioners, on board to drive the primary care reform agenda. But so far, your government's plan B looks identical to your failed plan A: Go back for more meetings in the backroom with physicians and exclude everyone else. What is your plan B if it's not simply a repetition of the failed plan A?

1430

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I obviously don't agree with the leader of the third party's characterization of what has happened so far and where we're going. First of all, part of this very agreement that has been rejected by Ontario's doctors provided for new funding for nurse practitioners, just so you know what we counted on in that part. Secondly, our goal is to establish 150 family health teams. We have requests so far for 90. These are full, interdisciplinary teams, including nurse practitioners, other physicians and other members who want to get involved in the delivery of primary health care in Ontario. So we are moving ahead on that front, notwithstanding any arrangement that we can or cannot obtain with Ontario doctors.

**Mr Hampton:** Premier, it was a very specific question: What is your plan B? Is it simply going back and meeting with the same physicians in a backroom or do you have a plan to bring all of the health care providers together?

Let me tell you what one self-described expert said. He said, "You know, if we're going to move this agenda forward, at that table should be nurse practitioners, nurses, other health care professionals and representatives of the patient community." This self-described expert goes on: "It is simply impossible to move primary care reform forward [by just talking to the doctors]." Do you know who that was? It was Dalton McGuinty, a mere four years ago. But now we see you adopting the very plan you used to criticize the Conservatives for. You used to be critical of them for talking only to the doctors of the OMA.

So I ask you, Premier: Do you have a plan B to include all of the health care providers involved in primary care reform or is it simply a repetition of plan A: Go back and talk to the doctors in a backroom?

**Hon Mr McGuinty:** I want to assure, reassure and confirm for the leader of the NDP that we are in fact working with all of our health care partners when it comes to defining the kind of family health team we want to have in Ontario. The Minister of Health just spoke at the annual general meeting of nurse practitioners a couple of weeks ago and I understand he got a two-thirds standing ovation, and in these days, that's not bad. We will take that.

We are bound and determined to proceed with these family health teams in a way that proves to be effective. By their very nature, they have to be interdisciplinary in order to ensure that we've got a good working model. You can't construct that without the advice and support of the other partners, and that's exactly what we're doing.

**Mr Hampton:** Here is your problem, Premier: You structured this as a discussion between your government and the doctors. You tried to achieve primary health care reform by means of backroom meetings, and the doctors have now voted that down. They say they're not interested in your so-called incentives. So you have to tell people across Ontario what the replacement plan is. What is plan B? To simply repeat once again the promises you keep on making and keep on breaking isn't going to do it. What is your plan to achieve primary care reform in Ontario? What is your plan to create a critical mass of people to move forward so that physicians—at least some of them—will get on board?

**Hon Mr McGuinty:** When it comes to our family health teams, again, to repeat, we are working with all health care practitioners who could possibly be involved in an interdisciplinary team. We've had requests so far from 90 communities that are eager to get going on that particular front. So we are going to be proceeding, notwithstanding any arrangement we come to with doctors when it comes to the establishment of family health teams throughout Ontario.

I reject the leader's characterization of our government's negotiations with Ontario doctors as some kind of backroom deal. This is as close to collective bargaining as you can get. Doctors put forward their representatives and we put forward our representatives. We spent a considerable amount of time—in fact, some nine months—working together. It was laborious, but it was productive. We then came up with a result, which obviously has not been acceptable to all doctors in Ontario, and we are prepared to continue to work with them to make sure we get it right.

#### AFFORDABLE HOUSING

**Mr Howard Hampton (Kenora-Rainy River):** To the Premier: I think the Premier just said that plan B is more of the same of plan A.

Yesterday was National Housing Day, Premier, and we asked you to keep the promises you made on housing during the election campaign. Just to remind you, you promised 20,000 new affordable housing units, 35,000 rent supplements for low-income households and 6,600 more supportive housing units for people with mental health needs. That was all contained in your election platform.

You haven't kept even one of these promises. Instead of coming forward with the \$366 million to implement any of these promises, you simply reannounced the announcements the Conservatives used to make. When are you going to keep your promises and deliver affordable housing that works for people?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Speaker, I am very proud of the progress we've made so far. You will well know, as will the member opposite, that the government was out of the affordable housing business for some eight years. We're back in the business and proud to be able to do so.

Let me repeat for the member some of the announcements we have made so far: Waterloo, 597 units, for \$8 million; London, 104 units, \$2.8 million; Wellington, 94 units, \$2.4 million; Toronto, 895 units, \$24 million; Peel, 384 units, \$5.5 million; York, 118 units, \$3.2 million; Hamilton, 60 units, \$1.6 million; Peterborough, 90 units, \$3.4 million; Ottawa, 300 units, \$8.1 million; Kingston, 105 units, \$1.9 million—a total of 2,747 units so far.

**Mr Hampton:** Premier, your minister of infrastructure back there, Mr Caplan, tried to read that list to a group of housing advocates a short while ago and they laughed him off the stage. Do you know why? Because every one of those was announced by the Conservatives. You're simply trying to take credit for announcements made by the former government.

Yesterday, you tried to pat yourself on the back again. Moments later, police arrested six housing advocates in front of Queen's Park for daring to stand up and protest the fact that you haven't kept your promises.

In Ontario, 158,000 families are waiting for affordable housing. One in five tenants is at risk of homelessness. With cold weather approaching, homeless people and their friends don't want to hear more old announcements repeated. When are you going to deliver on the promises you made in the election instead of reannouncing the tired old promises of the Conservatives?

**Hon Mr McGuinty:** Mr Speaker, the Minister of Public Infrastructure Renewal has some good news for us here.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** First of all, the leader of the third party is quite wrong in his assumptions and in his facts. In fact, his own housing critic was at an affordable ownership announcement when we had a groundbreaking in Scarborough: almost 400 units of new affordable ownership housing in Toronto, Markham and Pickering, in addition to the over 2,700 units of housing that the Premier just talked about.

I would say that in eight months of our government, we have done more than the previous government did in eight years. And I would add, for the Leader of the Opposition, that the Provincial Auditor gave their housing program extreme criticism that made it possible for the next government to come along and cancel the program entirely. We are going to learn from the mistakes of your government, sir, and we are going to make sure we don't repeat those errors, that we get value for money and that we deliver the much-needed affordable housing units. In your second supplementary, I'd be very happy to answer—

**The Speaker (Hon Alvin Curling):** Thank you. Final supplementary?

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**Mr Hampton:** I think I know why your government is in trouble on this front: Your minister refers to condominiums as affordable housing. This is why you're in trouble.

Let me point something out. Today, not a single member of your caucus could find it in their hearts to meet

with members of the Toronto Disaster Relief Committee about these urgent housing issues, not even the Minister of Public Infrastructure Renewal, Mr Caplan, who used to be at every housing protest complaining about the Conservatives, talking about how sinful they were, how awful they were. Now he won't even answer the phone when housing advocates try to call him.

Is this how you salute those people who are advocating for housing and who want to deal with the homelessness problem, Premier: You stand by, while their activists like Cathy Crowe are arrested, and your minister doesn't even answer the phone?

**Hon Mr Caplan:** The member is just plain wrong. In fact, I wish he or one of his colleagues would have joined me on the weekend to meet with the Ontario Non-Profit Housing Association. Not one New Democrat even bothered to show up to talk to housing providers. I was there. I know my colleague the Minister of Municipal Affairs and Housing was there. The federal Minister of Housing was there.

I suggest to the leader of the third party, get your facts straight. I've met with many housing providers. I'm going to continue to meet with them. We're going to continue to negotiate with the federal government to get a housing deal to build those much-needed affordable housing units.

As I said, we have done more in eight months than the previous government did in eight years: 3,200 units of affordable housing delivered already, and much more to come. It's a great record.

#### OMA AGREEMENT

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health and Long-Term Care. Minister, with each passing day as we start to get reports about what happened and why the OMA deal failed, it becomes more apparent that your health plan is an absolute and total failure. In fact, if we take a look at your health plan thus far, any changes that you have made have been done without any consultation, and they have been imposed on the people in the province of Ontario.

You imposed Bill 8 without consultation. You imposed the delisting of chiropractic, optometry and physiotherapy services. You have not introduced more funding for hospitals. You have introduced a new health tax without consultation.

I ask you today, Minister: Will you guarantee that your plan, whatever it might be, in your negotiations with your doctors will not impose an agreement on physicians as you have imposed every other change that you have introduced?

**Hon George Smitherman (Minister of Health and Long-Term Care):** As we have imposed every other change that we have introduced—the honourable member, herself the longest-serving Minister of Health in a previous government that was sent packing, in large measure because of their performance on the health care file, says that we have not consulted?



*Interjection.*

**The Speaker (Hon Alvin Curling):** The member for Nepean-Carleton—

**Hon Mr Smitherman:** The honourable member obviously misses the mark. Long-term-care reform is moving—

*Interjection.*

**The Speaker:** Order. I've called upon the member from Nepean-Carleton twice. The next time I call upon you, I may have to name you.

**Hon Mr Smitherman:** Long-term-care reform moved forward with the considerable support of both of the two organizations that work together. Community care access centres—\$103 million in additional funding this year—and community-based investments in mental health reform make the point rather well that the honourable member is really not up to asking the kind of question that she offered.

In her words, she said that we have not introduced new funding for hospitals. Oh, \$385 million when we first arrived wasn't new funding, or the \$469.5 million in this budget, which I might remind the honourable member is a full \$700 million more—

**The Speaker:** Thank you. Supplementary?

**Mrs Witmer:** The health minister simply doesn't get it. The bullying, aggressive and threatening manner that he has used in all his relationships with stakeholders is not going to benefit the people in the province of Ontario.

Your OMA deal was rejected because it did not recognize that there were doctors in this province who were near to retirement age who were not given due consideration. In fact, if you take a look at the paper today, we see an article by another doctor who says that this agreement does nothing to improve access to patient care.

I would ask the minister, when are you going to finally start to consult, listen to people, stop the bullying, and get down to work and start renegotiations with the doctors in the province?

**Hon Mr Smitherman:** What we're not going to do is take the counsel that the honourable member offers. The counsel that the honourable member offers is simply to pay more for more of the same. She says, "When are we going to consult?" The facts of the matter are very clear. For nine months—nine months—a team of negotiators sent forward by the Ontario Medical Association sat down with the same number of people from the province of Ontario. They worked very, very hard; they came to an agreement. The agreement was unanimously recommended by the nine members of the OMA negotiating team. The evidence is very clear. The agreement that we sought has obviously fallen short of what we had hoped for, but we will not compromise the principles that were espoused in it. Those principles are important to communities.

Why did the doctors in the most rural and northern communities, vote in favour of the agreement? Because they recognize that it was an agreement that would, for once, turn the tide on the situation created by that party while in government, and endorsed by you and your slow

reaction to the fact that Ontario was not producing a sufficiency of doctors. This agreement is not the only means. We've tripled the number of international medical graduates to put them into action in communities.

## CHILD CARE

**Ms Andrea Horwath (Hamilton East):** My question is to the Minister of Children and Youth Services. Minister, today the Ontario Coalition for Better Child Care released their vision for better child care in Ontario. They want Ontario to use new federal daycare money to begin building a desperately needed non-profit system for all of Ontario's two million children under the age of 12. The coalition consulted widely before releasing this report, which reflects the real voices of the child care community in Ontario. We need a real advocate for the children, the parents and the child care workers of our province at the negotiating table in Ottawa. Minister, are you prepared to be that advocate, or will Ontario families be waiting without a plan?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for the question, and indeed two weeks ago, historically, in Ottawa all levels of government were aligned to do something, finally, about the plight of child care in this country and in this province. I'm very proud to represent Ontario at that table, and work very hard with my colleague the Minister of Community and Social Services to ensure that Ontario's needs will be met through this agreement. Indeed, we've been meeting with the coalition on an ongoing basis and will continue to meet with the coalition to ensure that we have the best-quality early development and child care in the province.

**Ms Horwath:** Well, Minister, in your child care election platform, you pledged to spend the majority of federal early childhood development initiative funding on regulated child care. But the so-called Best Start strategy you promised has been a non-starter; in fact, none of the \$194 million of that fund has been spent to this date. Some 14 months after the election, none of it has been spent, and the pathetically low wages of child care workers are very sad and disturbing in a province like Ontario. Ontario spends less on regulated child care today than in 1995.

Minister, now you have this crucial report in your hands, as you've already agreed to. You've already acknowledged that. Now we need to know for sure, and the child care community across Ontario needs to know for sure, that they are going to get what they want, that they're going to get from you what the families have asked for. Since you didn't keep your past promise to put federal child care dollars where they belong, how can we trust to you invest the federal funding into a plan for affordable, licensed, quality child care?

**Hon Mrs Bountrogianni:** I thank the honourable member from Hamilton; I know of her concern for the children in Hamilton. We were at a meeting with the



board of education two weeks ago, and she voiced it quite passionately.

Indeed, this year, I think it's a clue, how we spent the federal money. For the first time in a decade, we spent it on child care, and a lot of that was on capital, but most of it was on child care spaces: 4,000 subsidized child care spaces. We have been developing our Best Start plan. I ask for your patience for a little while longer. We will take into account the coalition's recommendations as well as the consultations that we did across the province, to offer the best possible early development and child care program in Canada, right here in this province of Ontario.

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### FALL BUDGET

**Mr David Zimmer (Willowdale):** My question is for the Minister of Finance. Yesterday, you rose in the House and presented your third budget bill. You mentioned the cancellation of nine tax credits and the creation of new ones, along with pilot projects to help balance the province's books by 2007-08. How do you expect these actions will accomplish that goal?

**Hon Greg Sorbara (Minister of Finance):** I really appreciate the question from my friend for Willowdale. There were really four main points in the budget we presented last May. The first was to strengthen the economy, the second was to get the province's own financial house in order, the third was to improve health care and the fourth was to improve education. If you look in the fall budget bill, you'll see a number of initiatives that go directly toward a stronger economy. One that I think is going to touch people most directly is the improvements we've made to our apprenticeship system. It means that several thousand new young people will be in apprenticeship programs. It ultimately means much better jobs in a stronger economy for our young people. I thank the member for the opportunity to talk about it.

**Mr Zimmer:** You mentioned that the bill proposes the first increase to the Ontario property tax credit for seniors since it was created 12 years ago. Can you explain to those in this House how this tax credit will help Ontario's seniors?

**Hon Mr Sorbara:** Perhaps I can allow the minister responsible for seniors to answer that.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** As you know, this is the first increase to this program in some 12 years, and nobody deserves it more than the seniors of this province. It will be an increase of \$125 per senior family—a total increase of over \$85 million to the seniors of this province—and it will also include, for the first time, some 33,000 senior families who were not eligible under the limits before. This is a great advancement for our seniors. There's no group of people in our society who deserve more credit and more help from government than the seniors in our province.

### OMA AGREEMENT

**Mr Jim Wilson (Simcoe-Grey):** My question is to the Premier, and it involves his failed agreement with the OMA. In response to not having a plan B or failing to tell us what your plan B is, you keep mentioning five key areas—cancer, hip and knee surgeries, cardiology, cataracts and diagnostic care—that you want to make improvements in. Yet if we look at the rejection you've received from Ontario's doctors—75% of the doctors involved in those five key areas clearly rejected your plan A—how are you going to move ahead? How are you going to move ahead without lawsuits, given the law of this land that there must be an agreement between the OMA and government? Disgruntled doctors are going to start suing you. Doctors who feel unappreciated and bulldogged by your health minister are going to start suing you, doctors who don't feel properly compensated are going to start suing you, and you can't move ahead in your five key areas. Tell us what plan B is, so we don't have one heck of a bigger mess in this province than you and your health minister have already created.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Apparently the world as we know it is coming to an end and I missed it—I guess I missed that part. Just because the member opposite seems to have forgotten what happened on his watch, I've got a copy of the *Globe and Mail* from Friday, November 1, 1996. The headline is: "MDs Reject Tentative Deal...."

"In a province-wide plebiscite, physicians voted 76% against the deal...."

At the time, the sun still rose in the east and set in the west, and the government set out to come to a new agreement with Ontario's doctors, which they did. We will do the exact same thing, only we are insisting that we get more for more, that we complete one part of our plan that calls for the transformation of our health care system so we're delivering more primary care reform, more family health teams, and more working with patients when it comes to the management of chronic diseases like diabetes, heart disease and the like. We're going to get more for more.

**Mr Wilson:** Premier, the difference between your government and our government is, we went immediately back to the table with the OMA because we knew the right thing to do for patients was to make sure that doctors were relatively happy in this province, able to deliver the services and not impeded by government and the lack of agreement and being distracted with all the legalities of that.

Your health minister failed to go out during the time of this agreement and explain to all the local OMA branches what his transformation agenda was and what this agreement was about. He failed to go out and sell the agreement. He sat silent on a secret agreement. For a month and a half he sat on this agreement. He failed to sell it. He failed to explain it. He failed to get the confidence of the people of Ontario.

Premier, your plan B should be to fire Mr Smitherman.



*Interjections.*

**Hon Greg Sorbara (Minister of Finance):** You scared the gallery.

**The Speaker (Hon Alvin Curling):** Minister of Finance?

**Hon Mr Sorbara:** There's the evidence.

**The Speaker:** You are the evidence of disruption.

*Interjection.*

**The Speaker:** Order, Minister of Consumer and Business Services.

**Hon Mr McGuinty:** Well, Speaker, that is the calm, thoughtful and conciliatory approach that's been missing from this debate. But I appreciate the energy brought forward in that.

Let me tell you what the then Minister of Health, Jim Wilson, said when his talks did not meet with success. He said in his statement issued on October 31, 1996:

"I am disappointed that the council of the Ontario Medical Association (OMA) has rejected the agreement," Minister of Health Jim Wilson said today.

"It is a fair and reasonable agreement. Our priority remains to ensure patients in Ontario have access to quality care.

"We will take the weekend to decide our next steps."

I prefer the approach brought by the then Minister of Health, Jim Wilson, than the one demonstrated today by the member of the opposition. We are going to continue to work with Ontario's doctors to make sure that we get this thing right. But we remain resolved when it comes to ensuring that we move ahead with the transformation of health care.

### INSURANCE RATES

**Mr Peter Kormos (Niagara Centre):** A question to the Minister of Finance. The insurance industry kickback scandal is going from bad to worse. We just learned that in the year 2002-03, premium payers in Canada, policyholders, paid an additional \$427 million to insurance companies to finance the hidden commissions and the kickbacks to so-called independent brokers. That's the same period of time—2002-03—that the insurance industry was crying poverty and lobbying governments—successfully, I must add—for limits on the awards to be paid out in soft-tissue injuries like whiplash. The numbers are huge: ING, \$68.4 million; Economical Mutual—economical, my foot—\$48.1 million; Dominion of Canada General Insurance, \$43.3 million.

These hidden commissions have fleeced Ontario premium payers to the tune of millions. Will you simply stop it? Will you simply stand up and say that you will ban, not permit, secret commissions, kickbacks, any commission, in addition to the standard regulated commission charge?

**Hon Greg Sorbara (Minister of Finance):** I think one of the real, recent successes in the regulation of insurance, beyond auto insurance, in the province is that we have been able to inspire the industry to voluntarily establish a code of disclosure on commissions, whether

they be direct brokerage commissions or so-called contingency commissions, that will be a leader in North America.

Not only that, we have asked the regulator in Ontario to join with the regulators right across Canada to do a full analysis of the issues relating to commissions. I think we in the province of Ontario can say now that we are taking the lead on this issue in a North American context.

**1500**

**Mr Kormos:** Minister, people in this province are tired of getting ripped off by insurance companies, whether it's home or auto. These kickbacks, these secret commissions, very selectively paid, are in addition to, on top of, the 12.5% commissions typically paid for auto and the 20% typically paid for home. That doesn't even begin to address the inherent conflict of interest that arises from the cross-ownership relationships between insurance companies and brokers.

You have been inactive—merely passing the buck. It's not good enough for Ontario drivers who have seen double-digit increases in their premiums while the nine largest auto insurers have seen their profits jump to \$541 million last year from \$72 million in 2002. It's not a 100%, not a 200%, not a 300%, but a 400%, 500% increase in profits.

So I ask you once again, Minister: Will you ban this practice of tacked-on commissions, of extra commissions, of additional commissions, be they secret or not?

**Hon Mr Sorbara:** Here's the advocate from the New Democratic Party that back in the 1990 campaign was arguing for public auto insurance. That was the solution to everything. Then they got into power and Bob Rae stood in this place, right here, and said, "Oh, my goodness. Public auto insurance would destroy an industry." Then they got thrown out of office, not just for that but for a wide variety of things, and now, in opposition again, suddenly there is a new clarion call.

I want to say to my friend from Niagara Centre that whether it is the steps we have taken to bring down premiums, now almost 10%, or whether it's the recent steps we've taken to ban credit checks as a means of rating, to control interest rates on premiums or a variety of other steps, including those we will take soon to further clean up the industry, that party and that member have absolutely no credibility when it comes to insurance, auto or otherwise.

### AGRICULTURE INDUSTRY

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Agriculture and Food. The farmers of Ontario are under more economic and personal stress than I can recall at any time in my lifetime. As they struggle, not only the associated industry but all of Ontario struggles. I am very proud of our government's commitment to the agriculture industry in this province, so I was thrilled yesterday when you announced \$172 million going into farmers' pockets.

I have two questions to ask of you, Minister: First of all, how will this funding be allocated, and second, how will it enable this industry to move forward in a positive direction?

**Hon Steve Peters (Minister of Agriculture and Food):** I want to thank the member for the question.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Member for Oxford.

**Hon Mr Peters:** It's very sad for the farmers of Ontario that the critic on the other side heckles this announcement.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Member for Oxford, will you come to order, please.

**Hon Mr Peters:** Again the ag critic heckles an investment in agriculture in this province, and that's a pretty sad day, because this is moving forward. As we signed the agricultural policy framework, one of the things coming out of the agricultural policy framework was moving away from the companion programs such as market revenue insurance and self-directed risk management.

This announcement is going to allow us to work with the agricultural community in a transition period to phase out those companion programs and move to new programs. There's \$35 million in support of the fruit and vegetable industry through self-directed risk management; \$10 million for the tender fruit industry for plum pox eradication; general top-ups of almost \$90 million; and, most importantly, \$35 million that's going to be invested in research and development in support of agriculture and the agrifood industry in this province.

**The Speaker:** Supplementary, the member for Perth-Middlesex.

**Mr John Wilkinson (Perth-Middlesex):** Minister, that is indeed great news for the farmers in my riding in Perth-Middlesex—perhaps not in Oxford but in Perth-Middlesex.

I want to thank you for taking some time out of your busy schedule and agreeing to meet—with me and my seatmate, the member for Markham—with the consul general for the People's Republic of China in regard to expanding our agricultural markets. That's just wonderful news, and I appreciate that.

In your announcement yesterday, I understand that you pledged up to \$16 million in interim payments under the CAIS program that will benefit those ruminant farmers whose income has declined due to BSE. I know you share my concern about the ruminant sector in Ontario. Can you tell my farmers in Perth-Middlesex how this new money will work to benefit those in financial need as a result of the BSE crisis?

**Hon Mr Peters:** I'm looking forward to that lunch because part of what we need to do, as we reposition the industry as a result of BSE, is develop new markets. This is going to be a great opportunity to work with the government of China to develop new markets for our farmers.

When the federal government announced the BSE repositioning strategy, Ontario came to the table with \$30 million in new money to support the industry through set-aside programs. One aspect that perhaps many people don't realize is that, as they focus on this issue as a beef issue, the dairy exporters have been extremely hard hit as a result of this. The sheep, goat, deer, bison and elk industries are other ruminants that have been affected as well. These CAIS advances are going to allow us to provide assistance to these other ruminants because that is one sector that very much needs help.

But we need to continue to work with the federal government because the most important thing that can happen is getting that border open. Premier McGuinty has been advocating on that behalf. Premier McGuinty met with the US ambassador, pushing forward that issue. We're going to continue to drive that forward as well.

## ONTARIO BUDGET

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Minister of Finance. The matter of broken promises is well known. My question, though, deals with competence in the financial management of the province of Ontario, particularly on the spending side. As you well know, Minister, it's necessary to manage the spending in order to balance the budget and keep the commitments of the government.

Eighty per cent of the operating spending of government is transferred to spending partners, as you set out in the budget. As you also said in the budget, between 2004-05 and 2007-08 we will restrict program spending to an average growth rate of just 1.9% a year.

Now we have this failed landmark agreement, so described by the Minister of Health, with the physicians in Ontario. It's no secret, as you know, Minister, that the nurses, teachers, the Ontario public service members and so on are negotiating. My question to you is, who is going to pay the price for this failed landmark agreement among those groups, or are you abandoning your spending commitment in the budget?

**Hon Greg Sorbara (Minister of Finance):** I think my friend from Whitby ought to have listened carefully to the responses of the health minister, but he'll hear the same thing from me. We are bound and determined and we are focused in the work that we're going to do. You heard my friend the health minister say the agreement may have been rejected on a weekend vote, but we are focused on the priorities that drove our part of the negotiations.

Similarly, I tell my friend that we are bound and determined to return this province to financial strength and financial health. I don't want to go into the mess we inherited or where that came from, but I've got to tell you, we are determined to bring expenditures under control in this province. We are determined to strengthen the economy. Each and every ministry is determined to manage within the allocations provided for them in our May budget.



**Mr Flaherty:** What we have seen for 14 months is failure. We've seen the failure of this landmark agreement. We've seen the failure to keep taxes down. In fact, we've seen the largest tax increase in the history of the province of Ontario and then a massive spending spree.

But what you did say you'd do, Minister—to talk about the things that you actually committed to—in your budget was that, “the government will undertake a review of major provincial assets.... This review will ensure that in all cases the public interest is promoted....

“The government will review its assets....”

Specifically, with respect to the LCBO you said, “The Ministry of Economic Development and Trade, with the support of the Ministry of Finance, will initiate a third-party independent operational review of the LCBO.”

We're now at the end of November. The budget was delivered in the spring. Where is the review? Where specifically is the third-party independent operational review of the LCBO?

1510

**Hon Mr Sorbara:** I'm not in the habit of making announcements about when we are going to make an announcement. But I want to invite my friend to stand by, as they say, because that review, like all the other things that were contained in the budget, forms part of the plan we are implementing diligently to make sure we achieve the objectives that are set out in that budget.

My friend from Whitby-Ajax stands in his place periodically and spouts off things as if they were true. The other day he was talking about a decline in retail sales tax. I invite him to look at this morning's papers and reports. There will be the clear evidence that this economy is getting stronger under this Premier, that this economy is returning to financial health under this administration, notwithstanding the allegations that he makes in his place.

## FINANCEMENT DE L'ÉDUCATION EN FRANÇAIS

**M. Gilles Bisson (Timmins-Baie James):** Ma question est au premier ministre. En 2002, deux conseils d'éducation à Windsor ont eu l'approbation de la province de construire une école secondaire francophone à Windsor.

Depuis ce temps, un de ces conseils a décidé de ne pas aller en avant avec la construction de la nouvelle école secondaire. Ceci laisse le Conseil scolaire de district du Centre-Sud-Ouest avec aucune école secondaire publique française à Windsor.

Monsieur le premier ministre, qu'allez-vous faire pour garantir que les élèves du secteur public francophone pourront continuer leur éducation secondaire dans leur langue et dans leur propre école?

**L'hon. Dalton McGuinty (premier ministre, ministre des Affaires intergouvernementales):** Laissez-moi vous dire qu'en premier, mon ami sait très bien que nous faisons beaucoup d'efforts pour appuyer l'éducation en langue française ici en Ontario. Nous

avons fait beaucoup de choses qui n'ont jamais été faites dans le passé par d'autres gouvernements.

C'est dommage que le ministre n'est pas ici pour répondre à cette question. Sans doute, il aurait d'autres informations à faire avancer ici. Mais je peux vous dire que nous allons continuer à travailler avec les conseils de langue française à Windsor et dans d'autres parties de la province.

**M. Bisson:** Mais vous savez, monsieur le premier ministre, qu'il y a une responsabilité de ce gouvernement de garder en idée notre constitution, qui dit que les jeunes francophones ou anglophones ont droit à une éducation publique ou catholique dans la province de l'Ontario dans leur langue. Si c'est à Timmins, si c'est à Sault-Sainte-Marie, si c'est à Toronto, c'est un droit, et les jeunes de Windsor doivent l'avoir aussi.

Vous savez qu'une partie du problème, c'est le financement. Vous n'avez pas mis en place le financement nécessaire qui était recommandé par Rozanski. Ma question est simplement celle-ci: allez-vous prendre la recommandation de Rozanski et vous assurer que les conseils francophones publics et catholiques ont le financement nécessaire pour être capables de faire l'éducation publique ou catholique en français dans leur communauté?

**L'hon. M. McGuinty:** Laissez-moi vous dire qu'en tant qu'Ontarien qui a eu la chance d'être éduqué dans la langue française et en étant le fils d'un Franco-Ontarien qui vient de Timmins, je peux vous dire que j'ai beaucoup d'intérêt dans ce domaine. Je peux vous dire aussi que je suis le parent de quatre enfants qui ont tous fréquenté des écoles de langue française. Alors, j'appuie les écoles de langue française dans la province de l'Ontario.

Je peux vous dire que nous avons investi beaucoup d'argent dans le domaine de l'éducation. Nous allons continuer à le faire, et nous allons continuer à travailler avec nos amis de langue française partout dans la province pour faire certain que leurs droits sont bien reconnus quand on parle de leur éducation en Ontario.

## ECONOMIC DEVELOPMENT

**Mr Jeff Leal (Peterborough):** Mr Speaker, I know you will want to know that this Thursday, my wife, Karan, and I will be celebrating our 10th wedding anniversary. I know she's busy in her classroom this afternoon.

I have a question to the Minister of Economic Development and Trade. Peterborough's downtown core took a hard hit during the July 15 flood that ravaged the city and its surrounding areas. The heart of our downtown contains many one-of-a-kind, independently owned businesses. As we head into the busy holiday season, these shops, cafés and restaurants are still struggling to get back on their feet many months after the flood. Supporting local businesses is important to a healthy, sustainable economy in the Peterborough area.

Minister, can you tell the people of Peterborough what is being done to help these business owners stay open and viable?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I'd like to thank the member and wish him a happy anniversary. I hope you bought your wife a very big gift on your 10th.

I am indeed very happy to say that we are moving to help small business in downtown Peterborough. But I want to say that the Premier acted very quickly and showed decisive leadership in the wake of the floods last July, and our government has moved to assist Peterborough, through the Ministry of Municipal Affairs. We are helping those businesses in the downtown core. We're providing additional dollars to the tune of \$67,000 for this initiative, which will act to promote and market the downtown core businesses, to bring in more shoppers again, so that Peterborough's downtown core will remain vibrant for the years to come.

**Mr Leal:** The city of Peterborough thanks you, and the small businesses in my community thank you for your ongoing support.

Minister, can you please inform the House of other ongoing economic development activities in the province and your efforts to secure good jobs for the good people of Ontario?

**Hon Mr Cordiano:** You know what? I'm delighted to report to this House the great vote of confidence that businesses and investors around the world are demonstrating in Ontario—voter confidence in the Premier of this province, Dalton McGuinty, and his government.

I want to report on what has been happening. A great vote of confidence has been shown by Multi Channel Communications, which is hiring 500 people in the city of Peterborough. Siemens is investing an additional US\$1 million to expand its Peterborough plant. Apotex is investing \$627 million in four new facilities across the province to create 1,500 jobs. The Ford announcement, which everyone will be aware of in this House: \$1 billion. National Steel Car is hiring 500 more in Hamilton. Automation Tooling Systems is making a \$100-million investment to employ an additional 200.

I'm proud to say that businesses and investors are giving this government a huge vote of confidence by putting their money where their mouth is and investing in this great province of ours.

## PETITIONS

### CHIROPRACTIC SERVICES

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition from the Georgian Chiropractic Centre in Owen Sound, and it's to the Legislative Assembly of Ontario, regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

### WOLVES

**Ms Marilyn Churley (Toronto-Danforth):** I have thousands of signatures on a petition submitted by Earthroots, and this petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas wolves in Ontario are given very little protection under the Fish and Wildlife Conservation Act and Endangered Species Act or any other laws of Ontario; and

"Whereas it remains an open season for hunting and trapping wolves throughout much of Ontario without any limits to restrict the harvest; and

"Whereas there is no comprehensive plan to ensure the long-term viability of Ontario's wolf populations; and,

"Whereas few parks and protected areas are off-limits to hunting and trapping and are large enough to qualify as a viable habitat for wolves; and

"Whereas the use of neck snares to catch wolves is an unacceptable practice;

"We, the undersigned, petition the Legislative Assembly of Ontario to quickly implement the following as part of a province-wide wolf protection plan:

"Immediately end the open season for hunting and trapping wolves across the province;

"Conduct a comprehensive population and habitat viability assessment of Ontario's two wolf species;

"Manage provincial and national parks with the objective of ensuring the long-term viability of wolf populations. Immediately ban the hunting and trapping of wolves in all parks and conservation reserves and create buffer zones to decrease the impacts of human activities on the protected population;

"Expand protected areas and establish wildlife corridors to ensure more wolf habitat is protected to sustain viable wolf populations;

"Invest in comprehensive programs for farmers who suffer losses due to wild predators and encourage non-



lethal control measures to reduce livestock depredation. Require mandatory reporting of all wolves killed;

"Ban the use of wire-neck snares for trapping wolves. Snares are non-selective trapping devices."

I will affix my signature, because I support this petition.

1520

#### SOCIAL ASSISTANCE

**Mr Jeff Leal (Peterborough):** I have a petition.

"To the Honourable the Legislative Assembly of the province of Ontario, in Legislature assembled:

"The petition of the undersigned states:

"That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut its worth nearly 40% today;

"That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

"That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

"That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"Therefore, your petitioners respectfully request that the honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

I affix my name to it.

#### STUDENT SAFETY

**Mr Jim Flaherty (Whitby-Ajax):** I have a petition to the Legislature of Ontario.

"Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

"Whereas the Ministry of Education has chosen to ignore the children's aid society's recommendation that certain individuals not work with children; and

"Whereas the introduction of a 'volunteer' into the school system must not be solely at the discretion of the principal; and

"Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

"We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council."

I sign my name.

#### IMMIGRANTS' SKILLS

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding access to trades and professions in Ontario.

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry, or re-entry, of skilled workers and professionals trained outside Canada into the Canadian workforce."

I send this to you, Speaker, via page Nick.

#### FREDERICK BANTING HOMESTEAD

**Mr Jim Wilson (Simcoe-Grey):** A petition to save the Banting homestead:

"To the Legislative Assembly of Ontario:

"Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

"Whereas this great Canadian's original homestead located in the town of New Tecumseth is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

"Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the

public about the historical significance of the work of Sir Frederick Banting;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Culture endorse Simcoe-Grey MPP Jim Wilson's private member's bill entitled the Frederick Banting Homestead Preservation Act so that the homestead is kept in good repair and preserved for generations to come."

Of course, I agree with this petition.

### VOLUNTEER FIREFIGHTERS

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition of 750 names that I received from Bruce Armstrong, fire chief, Russell Fire Department.

"To the Legislative Assembly of Ontario:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

I fully support Fire Chief Armstrong's action on this very important issue.

### DISTRICT OF MUSKOKA

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition to keep Muskoka part of northern Ontario. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the district of Muskoka is currently designated as part of northern Ontario; and

"Whereas the geography and socio-economic conditions of Muskoka are very similar to the rest of northern Ontario; and

"Whereas the median family income in the district of Muskoka is \$10,000 below the provincial average and

\$6,000 below the median family income for greater Sudbury; and

"Whereas removing the district of Muskoka from northern Ontario will adversely affect the hard-working people of Muskoka by restricting access to programs and incentives enjoyed by residents of other northern communities; and

"Whereas the residents of Muskoka should not be confused with those who cottage or vacation in the district; and

"Whereas the federal government of Canada recognizes the district of Muskoka as part of the north; and

"Whereas this is a mean-spirited and politically motivated decision on the part of the McGuinty government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government maintain the current definition of northern Ontario for the purposes of government policy and program delivery."

I support this petition and affix my signature to it.

### CHIROPRACTIC SERVICES

**Mr Mario G. Racco (Thornhill):** On behalf of my constituents in Thornhill and Concord, I present to the House today a petition requesting that the Legislative Assembly of Ontario reverse the decision made to delist chiropractic services and to maintain its OHIP coverage. The petition reads:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic" services "will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province" of Ontario.

1530

### CHILDREN'S HEALTH SERVICES

**Mr Garfield Dunlop (Simcoe North):** To the Legislative Assembly of Ontario:



"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I'm pleased to sign my name to that.

#### HIGHWAY 407 RAMP

**Mr Mario G. Racco (Thornhill):** On behalf of my constituents of Thornhill and Concord, I present a petition today in relation to Highway 407. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas we, the residents of Thornhill and Concord, oppose the construction of a cloverleaf (ramp) at Centre Street and Dufferin Street connecting to Highway 407;

"Whereas a meeting to eliminate the ramp took place and hundreds of residents attended in opposition to the construction of the ramp and none of the residents were in favour;

"Whereas a condition that a study needs to be conducted is, in our opinion in this case, a waste of public money;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We ask that the Ministry of Transportation:

"(1) Eliminate the possibility of the construction of a cloverleaf (ramp) connecting Hwy 407 with Centre Street at Dufferin Street;

"(2) Eliminate the request of the city of Vaughan to carry out a preliminary design and an environmental assessment study to justify the elimination of the cloverleaf (ramp)."

I affix my signature to this petition.

#### LESLIE M. FROST CENTRE

**Mr Norm Miller (Parry Sound-Muskoka):** I have more petitions to save the Leslie M. Frost Centre. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Centre is Ontario's leading natural resources education, training and conference centre, aimed at fostering an understanding of natural resource management, with a focus on ecosystems and how they can be sustained for future generations; and

"Whereas the McGuinty government refused to consult with municipalities and other user groups before taking this drastic action and continues to operate in a clandestine manner; and

"Whereas this move will hurt the people and economies of Muskoka and Haliburton, especially those in the local tourism industry; and

"Whereas the Frost Centre is a valuable resource for elementary, secondary and post-secondary institutions, as well as a variety of other groups;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government reverse the decision to close the Leslie M. Frost Centre."

I support this petition and affix my signature to it.

#### ORDERS OF THE DAY

##### STRONG COMMUNITIES (PLANNING AMENDMENT) ACT, 2004 LOI DE 2004 SUR LE RENFORCEMENT DES COLLECTIVITÉS (MODIFICATION DE LA LOI SUR L'AMÉNAGEMENT DU TERRITOIRE)

Resuming the debate adjourned on November 22, 2004, on the motion for third reading of Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l'aménagement du territoire.

**The Deputy Speaker (Mr Bruce Crozier):** Further debate? The member for Toronto-Danforth.

*Applause.*

**Ms Marilyn Churley (Toronto-Danforth):** Why, thank you very much, Mr Speaker. I'm pleased to be getting applause from the Liberal side of the House. I

don't know if they'll be applauding at the end of my hour, but we'll see. One whole hour: Get ready.

Just a week or so ago, I had the opportunity to stand in this place and talk for a full hour. Remember, it used to be 90 minutes, those of us who were here before those Tories changed the rules? So we only get an hour now, instead of the full 90 minutes, to talk about these bills. But I think I can say everything I need to say about this bill in an hour. So I'm going to take that opportunity now.

I thought I'd do a little bit of research before coming into the House today to remind members of some of the history of good, green land use planning in this province. It's not, I suppose, in the interests of existing governments to give credit to previous governments or previous to the previous government, normally. So therefore, when the minister and other Liberal members stand up to talk about this bill, it sounds like they've just invented the wheel, that nobody has ever thought about this before.

It was interesting, when I did my research. I mentioned this before—and the minister will remember—in committee, that some of this bill is NDP policy redux. It has come back. It's like fashion concepts from the early 1990s are making a comeback and receiving due recognition, because what Bill 26 does is reintroduce the planning principle that the official plans be in keeping with the provincial land use planning strategy and that they "be consistent with" the provincial policy statement.

So when I did my research, I thought I'd look up some of the old Hansards from the early 1990s, when some of the members who are in the Liberal Party were sitting right there where the Tories are now. Some are new members, so I can't blame them for this—I'll be clear about that; there are some new members—but Mr McGuinty of the Liberals, the now Premier, was here, and many other members. I've got to tell you that they voted against the NDP Green Planning Act.

*Interjection.*

**Ms Churley:** Now, you wouldn't have. I'm sure the new Liberal minister for this act—

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I wasn't here.

**Ms Churley:** He wasn't here. I'm excusing you, because I'm sure you would have broken ranks with your caucus then, and, Mr Speaker, I'm sure you would have too. I'm going to give you both credit for that. You would have broken ranks and risked everything—the possibility of being in cabinet later on—to do the right thing.

The Speaker, of course, is shaking his head. See? You wouldn't necessarily have gotten into cabinet anyway by playing by the rules, sticking with the solidarity, but I know every person—because I've been there, you see. I've been in government. I've been in opposition longer, I admit, but I've been in government and I know how badly every single person wants to be in cabinet. So most members do toe the line and end up voting for or against

things as they might normally not do. It's interesting. I know I'm veering off the subject here, Mr Speaker, but you provoked me. So let me get back to this very important bill that we're talking about here today.

I was just rereading some of the aspects of the bill that was introduced by the Hon Ed Philip, who was then the Minister of Municipal Affairs, and before that the Hon David Cooke, who later became the Minister of Education but then started the hard work, I think we all will agree—and I've got to hand it to the Liberal government in terms of going out there and doing the consulting and bringing this bill before us. But I know that when we took over government in 1990, after the Liberals had been in power, and previous to that the Tories for, I think, over 43 years, what we found was that the whole land use planning process in Ontario was in a huge mess. There were all kinds of problems. Furthermore, it wasn't taking into account the modern problems that we have around land use planning when it comes to protecting the environment, saving our prime agricultural land in environmentally sensitive spots.

So what the NDP did at that time was put a group together, chaired by Mr Sewell, the former mayor of Toronto, and I know that others were involved. They crisscrossed the province for, I think, two or three years, and I have to always say this when I talk about our committee on land use planning, the Green Planning Act, because Mr Sewell was so proud of this, as he should be, and so was our government: This committee came in on time and under budget—which, of course, is quite often unheard-of in this place—and did a tremendous job. Dale Martin was very involved in this as well—I should give him credit—as was Toby Vigod, and I'm sure I'm leaving some people out who were involved in this. But those are the people I particularly remember being extremely involved in setting up this working group that crisscrossed the province for two years and came up with a Green Planning Act that everybody could live with. That is a very hard balance, as I know the Minister of Municipal Affairs understands today.

We had a certain set of principles, and those principles had to be adhered to. Then everybody had to come together and not get rid of those principles but find ways and compromises where the main objectives would be achieved. That was done, and it was actually something we were very proud of. What I didn't do today, because I don't want to be negative for very long, was pull out the comments from the Liberals of the day to read quotes as to why the Liberals of the day were opposing this bill.

**1540**

I want to say that the NDP is supporting the bill before us today. We're supporting the planning act before us today. We have some problems with it. I made amendments at the committee level to improve the bill. Mr Prue, the member for Beaches-East York, is our municipal affairs critic. I often handle bills that we see as very important environmental bills. Either of us could have ably handled this one, but there were finance committee hearings at the same time. And as you know, with eight



members we double and triple up in critic areas. We work hard over here. At the moment, I'm sounding like George Bush in that debate. Did you hear him when he said about five times, "It's hard work"? Well, it's hard work over here. There are eight of us doing a number of portfolios.

Mr Prue was away at the finance committee, and I did this committee on his behalf and on behalf of the NDP caucus. I want to take this opportunity here—I actually did this at the committee level—to salute Fred Gloger. The minister will remember that the committee commenced shortly after we got the shocking and very hard news about our researcher, Mr Gloger, who had been with the NDP caucus for, I believe, over 20 years and was well respected and well loved by our caucus. It was a terrible tragedy.

I had the pleasure of being able to use the notes that Fred Gloger left for us before he went on his holiday to France. As you know, Mr Gloger was only 44 years old and died unexpectedly while in Paris. Mr Gloger loved to travel. He was a world traveller. He saved his money, and every year he planned an exotic trip and would get very excited about it.

I remember talking to Fred about this very bill a couple of days before he left. He left, as he always did—he would work day and night. He was very conscientious, very dedicated to this place, not only to our caucus but to the legislative process here. The research department, the Clerk's department—everybody knew Fred Gloger. He was meticulous and did excellent work. I worked with him, and he left us—working with my executive assistant, Jasmine Singh—very, very good notes for me to use. I want to pay my respects to Fred here, because of course the information, the notes I'm still using today, are in the memo he left behind for us. It says:

"April 23, 2004

"To: Caucus

"From: Fred Gloger

"Re: Strong Communities (Planning Amendment) Act, 2003."

There were several pages of notes explaining what's in the bill.

He did leave very good notes, and since then, of course, I've had the opportunity to sit on the committee and make amendments. None of those amendments were accepted, unfortunately. I said at the outset that we would be supporting the bill, clearly. The Planning Act, after what the Tories did to our green planning act, needed to be reformed. We were very, very pleased that the Liberal government moved forward on that. But there are some holes, some problems in the bill, and I took the opportunity at the committee level to try to strengthen and improve that bill. Unfortunately, those amendments were turned down.

One of the things I want to talk about that I'm very, very much in favour of and very pleased to see—unlike the Tories, because they're the ones who took this out of our green planning act—is that Bill 26 reintroduces the planning principle that the official plans be in keeping with the provincial land use planning strategy, that they

be consistent with the provincial policy statement. That is so incredibly significant.

To a lot of people out there it may sound like semantics. What's the difference between "be consistent with" and "have regard for"? One of the centrepieces of the New Democratic green Planning Act was that the wording be consistent with—and there was a huge fight over that in the community, absolutely huge. There were environmentalists and many of the municipalities, but some not—I think it was perhaps one of the most contentious parts of the NDP green Planning Act, but we insisted that it be kept in for the same reasons the Liberals are bringing it back.

The history of that bill is actually very interesting. I have Hansard from November 23, 1995, after the Tories came to power. One of the very first things they did was tear down that green Planning Act. It was heartbreaking. It was really difficult to watch how quickly a new government came in and tore it down, and many other pieces of legislation—progressive, good legislation—that we had worked very hard on. It was fairly new, and that was part of the problem. There was not enough of an opportunity after it was proclaimed for it to really take root in our communities, and the government was able to say it failed.

It didn't have a chance to fail. It would have been extremely successful. Had it been kept in place, some, not all, of the many problems we're having today with urban sprawl, with the Oak Ridges moraine that the Tories had to grapple with—many of them would have been dealt with under the green Planning Act. That's what's so sad: after all of that work, and everybody consulted, having the Tories tear it down practically overnight.

I should say that not only did they get rid of the green Planning Act we brought in, but they actually made the Planning Act that existed before that one more regressive. They changed that so it was more pro-development. It was quite a difficult time for all those who supported a more environmentally sound Planning Act.

I looked up November 23, 1995, and here's a statement I read in the House at that time. I think it sums up the feeling we had about this.

"Earlier this week the Coalition for Good Planning drew attention to the Tory plan to gut the Planning Act. These protections were put in place by the NDP government to safeguard our environment and preserve our prime farm land. I suggest to the minister that his plan to repeal planning reforms is based on the false premise that the legislation wasn't working. The new law was only just proclaimed in March of this year and the province had barely begun to switch over to the new system. What kind of logic is this?

"And another logical flaw: Urban sprawl is expensive to service, whether we are talking about policing, fire protection, transportation or other services. Where's the common sense in that?

"Recently, the minister told a meeting of the Canadian Bar Association that the policies themselves are weighted too heavily towards protecting the environment." I'm



quoting here. "Apparently the minister also feels the current legislation is too heavily weighted towards ensuring public input on planning issues, since the minister also plans to scale that back significantly with Bill 20.

"There you have it. Like so many of this government's decisions, repealing these important reforms is based not on rational assessment of the facts but on ideology: 'Nothing must get in the way of unfettered development. Drain the wetlands and pave over that prime farmland; here comes another mall and another parking lot.'"

I read that for a reason. I know that it's history, that it's done, that it's over with, that we're now dealing with a new Planning Act, but I wanted to illustrate how important this green Planning Act the NDP brought in was. It's the same kind of language, the same issues we're talking about today. We were talking about, under the Tory government, the Oak Ridges moraine. We're now talking about the greenbelt legislation and all of those things. We were dealing with those, and we're so far behind now because the previous government threw that out.

1550

On March 26, 1996, another statement by myself. That's when my riding was called Riverdale. It went from Riverdale to Broadview-Greenwood and now it's Toronto-Danforth. I said:

"I just came from a mock funeral attended by environmental and housing advocates from across Ontario. We were mourning the loss of affordable housing, apartments in houses, public transit, wetlands and woodlands, biological diversity, specialty crop lands, clean groundwater and public transportation in the planning process. Today, Bill 20, the Tories' new, regressive Planning Act comes a step closer to law.

"Over 23,000 people from across Ontario were involved in a four-year process"—four years—"to reform planning in Ontario under the NDP government. A delicate, difficult balance was formed between development and environmental protection interests. Now, in just a few short months, years of reform and public consultation are out the window."

The reason why I read this is to illustrate once again that, back when we were in government, these kinds of issues that we're still talking about today were becoming incredibly important, and New Democrats worked hard to bring in legislation that would curtail some of this unfettered development and get control over our land use policies. And the Tories threw it out. Thus, we are where we are today with this bill.

As I was saying before I read these things out, the "be consistent with," as opposed to "have regard for"—and I railed about that constantly here in the Legislature in opposition to the Tories and on committee and in the community because it was absolutely paramount that that clause be kept in. And you have to understand why, because if you have wording like "have regard for," as opposed to "be consistent with"—well, you know, there's a development application before you. You've got a provincial policy statement and you've got the OMB.

You've got the municipality. They have the provincial policy in front of them. They look at the guidelines, the law, and say, "Oh, well, we have to have regard for this. Let's pick it up. Yep, yep, let's read page—yep. OK, we don't agree. We've had regard for that, and we're not going to pay any more attention to it." That's what it's all about.

When it says "be consistent with," they have to pick up those pieces of paper and read them really carefully and make sure that any policies they're bringing into place, any bylaws, whatever, are consistent with that provincial policy statement. And that's the difference.

Of course we saw that happening a lot when they didn't have to have absolute consistency with—well, they'd have their regard and then put them aside. So that's just a little bit of background to why I feel so strongly about this bill before us today.

There are some places where this bill needs to be stronger. As I said, I tried to fix those through amendments, which failed to gain the support of the Liberal majority in committee despite the fact that they would be in the best interests of sound planning. I'm going to be bringing those up in my time here today.

I obviously am not so foolish to believe now that there's any opportunity to get those amendments passed, unless the minister, who is here today—and I'm pleased to see that—listens very closely. I am sure he read every word of my amendments, and I think he would agree with some of them. But the Liberal majority had been given their marching orders, and all of the little answers as to why they weren't supporting them were written out. I think that at times there was some embarrassment by some members of the Liberal Party on the committee that they were not supporting some of those amendments. But they had been given the orders to oppose them.

Just so people understand the way it works when we go to committee: People come and give us suggestions for changes. Then each party gets to send in, by a certain time, their amendments so we all have an opportunity to look at them in advance and think about whether or not we want to support the other parties' amendments. Certainly, the minister and his staff would have had an opportunity to see my amendments and to write the responses as to why they weren't going to support them.

I think it's important to bring them up, so as we go along with this bill—and I'm sure it will be passing; we will be supporting it, and there is the Liberal majority—I think some of these omissions will come back to haunt the government. Let me tell you a bit about those.

First of all, and I am going to come back to the provincial policy statement that I mentioned earlier, because I do believe very strongly that this has to be "consistent with," but we don't know what the provincial policy statement is yet, because they're working on it. So that's a little bit of an inconsistency in this bill. We don't know what it is we're talking about here that it's going to have to be consistent with.

Let's talk about that for a minute: "Consistency with policy statement's revision to subsection 3(5) of the act."



Don't worry, I'll put this aside for you, because I know the table is going to want to see this after. I have to remember, instead of digging through all my papers. I'll put a little mark on it so I'll know.

While the administration is reintroducing some strong planning concepts from recent days, from the NDP time through this act, it is not introducing in concert its vision for sustainable land use, the provincial policy statement. So this process is perverse. How do we know at this stage what vision of land use planning this tool will serve to realize?

What we have seen so far is a provincial policy statement that just remains abundant—I know the minister said there's a draft out—in references to general principles on sustainable planning but fails in the specifics to act on those principles to curb sprawl.

In committee, Liberal members said that the government intends to have—see if this is still correct—the final policy statement also in place the day this act receives royal assent. Is that still true? When is it going to receive royal assent?

**Hon Mr Gerretsen:** We have to pass it first.

**Ms Churley:** I think it's going to pass fairly quickly. So it's going to get royal assent right away after that? Will the policy statement be ready then?

So we and other Ontarians remain in the dark about what this piece of legislation is actually going to enact.

The proposed policy statement also raises some red flags about the government's vision for planning. And this is one I've raised and I'll continue raising, because this is a biggie with me. I'm really troubled about this aspect in greenbelt, and it runs throughout all of the planning pieces of legislation the government is talking about or has before us, and that's aggregates. I have to say that I don't think I've seen such a pro-aggregate planning document, even under the previous government, like the proposed policy statement. It's really troubling me. While it is long on global comments about smart growth, source water protection, preserving environmentally significant areas and short on specific measures about these concepts, it is very explicit in its statements about protecting the interests of aggregate companies, despite their poor record of land use.

I've got nothing against the people. They've been down here lobbying us. They're good people from the industry, and I have a friendly relationship with them, and it's their job. That's what they do. It's their business to try to influence the government the best they can for their business. I'm not attacking them personally; I'm attacking the government for not coming out with a better, more proactive policy on this.

The proposed document protects the interests of aggregates to the extent of even stating, "Mineral aggregate operations will be protected from development and activities that would preclude or hinder their expansion or continued use." I believe that's on page 28 of the proposed document. The documents afford such a level of protection for this industry's interests, despite its poor record, frankly, on land use.

It's not just me saying this. Environmentalists say it, but also the Environmental Commissioner. If you read the Environmental Commissioner's reports of at least the last two times, maybe more, he has reported that the mining industry has created an environmental debacle by leaving pits and quarries unrehabilitated. He has mentioned that on a few occasions, and yet this document does not deal with it. Underlying this form of damage to our landscape and natural ecosystems is this province's overdependence on easily extracted minerals. The commissioner also reported on this, drawing much attention to how there has been little provincial initiative or interest underway to encourage conservation of aggregates through recycling and reusing. It is really critical. It has such a profound negative impact on our environment, water, animals and natural habitat. So it's a true Liberal contradiction here, leaving the public wondering where you really stand. The Liberals' growth management plan speaks to this very need to conserve landscape through greater use of recycled road materials. But the proposed provincial policy statement and proposed growth management plan are in direct conflict with each other on this issue.

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So you have to wonder why I'm a little worried and why I keep talking about how we need to see all these pieces of legislation and policy statements, because I found other contradictions in other areas of these plans. So when I stand and talk about this, it's not just what I'm thinking may happen; I've seen with my own eyes some of the contradictions already in place. I'm sure the minister will want to take a look at that and fix it.

The consistency with other planning-related legislation is another problem; that would be revisions to subsections 3(5) and 3(6) of the act. This revised planning act in its current form does not aid good planning because it does not spell out what policies and related legislation that official plans are to follow and are to show consistency with. As a result, as I said earlier, you're running that risk of real inconsistency here. There's also no schedule of what provincial policies and official plans must be consistent with, other than the reference to the provincial policy statement in the explanatory note. So you've asked us to take a giant leap of faith here. We really need this information before us.

How about the greenbelt legislation? How about the growth management plan? Well, after what I just said, maybe its omission is deliberate, considering that its position on aggregates does not match what you're saying in the provincial policy statement or the greenbelt legislation in its current form. Was it deliberate? Because it isn't consistent, and if it's brought forward at the same time then we'll be able to get away with keeping that inconsistency in there.

Without a doubt—absolutely without a doubt—source water protection legislation must be included in the provincial policies referred to in subsection 3(5). I can't tell you how strongly I tried to point this out at the committee level. Source water protection needs to be



there because it has to be central in land use planning, not dealt with on an ad hoc basis, as an add-on. So there are all these pieces here that should be included, and they are not. So I proposed such an amendment in committee, and it was not passed.

On a related note, I also proposed an amendment that required complete applications that, if it had been passed—but it wasn't—would have helped to ensure that applications comply with official plans and, by extension, the provincial policy statement. You can see that what I was trying to do here was strengthen this bill so it would be entirely consistent with its stated purpose.

For municipalities to comprehensively assess if applications made before them meet official plans—and we have to be fair to the municipalities here—and, by extension, provincial policy statements, I think it is a no-brainer to say that they need a complete set of information. Municipalities did express to the committee, and I'm sure to the minister, concern that under the current definition of "complete application," developers do not have to include many relevant pieces of information that are key to properly evaluating the application against the PPS. These would include traffic impact studies, the implications for infrastructure, natural heritage, hydrological studies, things like that. The amendment clause (b) ensures that that clock on the review period does not start, and it shouldn't start until all of that necessary information the municipal council needed to evaluate the application was provided, and this bill does not allow for that. So I would say to the minister that that is unfair to the municipalities. All these other relevant bits of information should be added to all the necessary information the municipal council will need to evaluate the application.

I'll talk a bit about matters of provincial interest. The act allows the minister to intervene in matters before the OMB that are deemed to be matters of provincial interest. I think that was one of the main Tory objections to this piece—and retroactively, I believe.

I have a different take on it. I believe that for the province to have the ability to declare a provincial interest every now and then; certainly the NDP used it—I don't know—maybe once or twice. It's very rarely used, but sometimes it's important to have that opportunity in the public interest. But what we're saying about that is that what constitutes an issue of provincial interest should be more clearly defined than it is. I think that, as close as possible, an explicit list of what constitutes a matter of provincial interest is necessary in the interest of transparency. The government accepting responsibility and accountability in its promise to protect ecologically critical and sensitive areas, prime agricultural land and our natural heritage, leaving what represents a matter of provincial interests equivocal, allows the government—and this is my concern—without the clarity to evade or circumvent from carrying through on these promises.

From our perspective, we believe that the province having that ability is key, but we want it very clearly defined, so we know if any provincial government of any

stripe, no matter who's in power, would know what the rules are around what they declare, because it is a pretty strong-arm thing to do. It can be seen as a very draconian thing for the province to step in. As I said—and the government says this too—it has been rarely used, and it shouldn't be used a lot. But when it is used, people need to know exactly why it's being used and what it's trying to protect.

I did, as I said, put in an amendment in committee that was not passed, and it would have led to such accountability. The Liberals did pass an amendment. They did their own amendment on this, and that did, of course, pass, but it only does half the job. Mine would have been stronger.

Another area where I made an amendment was the transitional regulations, subsections 70.4(1) and (2) of the act. The act permits the minister to make regulations on transitional matters, including which applications already in progress will be dealt with under the old rules and which will be subject to the new rules. In committee, the NDP proposed an amendment that would have required the minister, within 30 days of passage of the bill, to publish which matters would be dealt with by transitional regulations.

Developers, municipalities and communities need to know where they stand. That's always important. All the interests need to know as precisely as possible where they stand, because even if not everybody agrees with specific pieces of legislation, if there is transparency and everybody knows where they stand, they believe they are being dealt with at least somewhat fairly, and they're all operating on the same playing field.

Without such an amendment, this part of the act leads to uncertainty and perceptions of unfairness, and it appears to give cabinet more power than is appropriate. We'll see what happens with that, because my amendment failed to pass. I must say that this amendment came from somewhere. We were not alone in urging such transparency. Many deputations from all interests requested such a measure during the committee hearings.

I have a slight cold, which is probably pretty transparent and obvious here.

I have with me the amendments that I used in committee. It was interesting going through them as I prepared for this today—I wrote little notes on them. I'm just going to go through them. Government motion number one—all of these say at the top whether it's a government, Conservative or NDP motion—is one that passed. It was a government amendment. Number two, a PC motion—I didn't vote for this one either; I'm just illustrating what happened in committee—failed.

**1610**

An NDP amendment, which was a very important one—I made several amendments, and this will come up again and again, on "be consistent with." What happened was that government legislation said very clearly that the OMB, the municipalities or whoever is dealing with land use policy had to be consistent with this new bill, but there were certain sections of the bill that didn't reflect



that. So throughout the whole time in the committee, I made amendments that would try to strengthen those areas where that was not explicit, and that's what this amendment was all about. What it dealt with was, again, for the purpose of consistency—and that's what I tried to do with that throughout the bill—there has to be, but there isn't as it's left right now, an explicit reference to source water protection being a matter of provincial interest. Otherwise, a discrepancy will exist between the proposed provincial policy statement and the government's pledge to source water protection. In the current section 2 of the Planning Act, reference to protecting water supplies and quality is scattered and does not specifically identify protecting it from the source as a matter of provincial interest. The fact that that's not in there, that the government pledged to introduce specific source water protection, says that source water protection indeed constitutes a matter of provincial interest. That's why I made that amendment, but it failed. The government members said no to that.

Another amendment, an NDP motion, was not passed. It failed again. It was the same kind of thing, voted against by the Liberals. PC motion number three failed—in my view, that one failed for good reason. The NDP motion failed—I'm not going to go into the details of each of those. A government motion: Guess what? It passed. NDP motion, failed; PC motion, failed; PC motion, failed; PC motion, failed; PC motion, failed; NDP motion, failed. Government motion: Guess what? Passed. Government motion, again, passed; NDP motion—this is an interesting one—failed. The Liberals proposed a similar amendment to this one. Some of my motions were ruled out of order because weaker motions dealing with some of the same specific areas were put forward by the government and were passed, of course.

The next one, an NDP motion, failed; the next one, and NDP motion—you can't say we didn't work hard to try to improve this bill—failed; NDP motion, failed; government motion, passed; government motion—I should tell you that some of these from the government are very short little ones, like one line: "I move that subsection blah, blah, blah of the act as set out in blah, blah, blah of the bill be struck out," and things like that—passed. Some of it was just housecleaning.

Government motion, passed; NDP motion, failed; NDP motion, failed; NDP motion, failed; NDP motion, failed; government motion, passed; government motion about language, passed; NDP motion, failed; NDP motion, failed; NDP motion, failed. I guess we could have written "failed" on all of these before; I just sat in committee and wrote it as it happened. Government motion, passed; PC motion, failed; NDP motion—I'm going to go into this one a little bit in a minute—failed. I think I'm missing some right here. Let's see, what have we got? Schedule: government motion, passed; government motion, passed; NDP motion, failed.

One of the areas I dwelt on and made reference to—and this failed, of course, but I thought it was incredibly

significant, given the greenbelt that's going through. And some of the hot spots that have been labelled environmentally sensitive hot spots were left out. To be honest here, I look for opportunities anywhere I can, because they were not included in the greenbelt.

Since that time the greenbelt has come forward and the final version of the greenbelt does include some of the 10 hot spots—not all of them, I think there are five or six not included, and some of those that are included are only partially included.

So what I was trying to do there was I saw an opportunity to include these hot spots within this act. It was possible to do. It was all within the legal framework. What I did was move that the bill be amended by adding the following section—let's see: "schedule, matters of provincial interest." I come back again to where I asked for specific things to be included in "provincial interest." One was Castle Glen.

Castle Glen—you've heard me talk about this in this House and at the committee level—is where the government is allowing the first whole, year-round town to be built in the Niagara Escarpment area since it was protected in the 1970s by the Bill Davis government, and to continue to be protected from that kind of development right on up until the Liberal government allowed it to go ahead.

I know what the government says, that they had no choice, couldn't stop it, had no option, for a variety of reasons I don't have time now to go into here, but they could have stopped it. It could be declared a provincial interest, and I would say to the government, shame on them for letting that go ahead. I think that will be a blight on their term in government. They will always be stuck with being the government that allowed a whole, year-round, live-in town with golf courses and everything else—you name it—in that town to be built on the Niagara Escarpment.

The Pickering Duffins-Rouge Agricultural Preserve got saved. I see the former mayor is here from that area today. I haven't heard from him. I shouldn't tease him about this, I guess, but I know he had some words, because he came to committee and did a very interesting thing with an amendment that didn't pass that I think would have pulled this piece out and, had it passed, would have allowed it to be developed. I went there to one of the public meetings, and the province has said no; they're saving that. I've got to take my hat off to all the groups and the local citizens who lobbied and worked really hard for this one. That was a victory for those people.

Simcoe county is the big one, because this is where we get into talking about leapfrog development. When I was talking the other day, when we had the greenbelt legislation before us, this is one I dwelt on for some time. The reason I had it in this schedule is because it's atrocious, what is happening. I don't know, maybe the minister of infrastructure is going to be dealing with that in his piece in all of this. I forget what it's called now, but it's coming forward. You hear everybody talking



about leapfrog development. That's still a huge problem with the greenbelt legislation, and we wonder why it got left out.

Lake Simcoe, which is already under enormous stress from the development that's happened there already—that's one of the problems: just more pollution for the lake.

1620

I think it's pretty clear what we mean when we talk about leapfrog development. There's a belt of land that's going to be preserved, and you can't develop on it. Then what will happen when you have that whole big swath of land in the Lake Simcoe area? Well, of course, the developers' people are just going to leap right over that and start, I guess, intensifying even more. It's going to leap—

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** It's going to be inside.

**Ms Churley:** It should be, but it's not. It has been left out. They're going to be allowed; that's the problem. It should be inside the belt, and that's why I wanted it included in this planning act as a very precise area of provincial interest, so that could be done.

I want to talk for a moment about one of the other areas where I have very, very serious concerns, and that is King City. That's the big pipe. We're not hearing a lot about that these days. I raised it in the Legislature, and you'll all remember what happened, when the government, late in the day on a Friday of a long weekend, announced quietly that they were allowing that big pipe to be built in the King City area. Of course, there is no doubt that that's going to lead to more sprawl.

The government's answer is always almost histrionic about this in terms of their response back at me, that, "You don't care about the health of the people in the area," that, "The drinking water is in jeopardy and we have to build this big pipe because there are some problems with the sewers and the septic system in the area." But, of course, there's been a lot of study done. There are other ways to deal with those specific problems. You don't have to build a huge, huge pipe that's going to go so into the water table that it's going to constitute taking tonnes and tonnes of water.

*Interjections.*

**Ms Churley:** It's hard to concentrate when I'm hearing something about Toronto-Danforth here.

*Interjection.*

**Ms Churley:** Absolutely.

So they're going ahead with that big pipe. It's also taking a huge amount of water out of the ground, because you have to dig down so deep in order to accommodate the huge pipe. They actually get down into the water table, and therefore that water's going to have to be removed. I said to the government when I raised this before, "This is not just about urban sprawl." As they try to say they want to protect the Great Lakes—and I applauded the Minister of Natural Resources' announcement that they were not going to sign on to that annex until they reviewed it again—it certainly is true

that as long as they're allowing that water-taking to happen for the big pipe, it really weakens their position in terms of massive water-taking.

Some of the other areas that I wanted included are areas of significant scientific and natural interest, including the Oakville Trafalgar moraine and the Boyd Park-Pine Valley. I believe there's some protection for some of those areas, but not all. Those are some of the things that it would have been useful to have had included in the bill that were voted down.

I'm trying to find the 10 hot spots here. I don't know what's going to happen with some of those. I talked about the Dufferin Aggregates Milton quarry extension, and I talked about the salamanders there. This is all about the pits and quarries and why it's so important to have that area protected. The Rockfort quarry in Caledon. I mentioned Castle Glen and Boyd Park at Pine Valley—a big road through this very precious park. As I understand from the greenbelt, that will be about half protected. King City, I just talked about. Simcoe county.

The Rouge Park north: I believe that this one, from my understanding, has been included in the greenbelt, but now I understand that the real fight over this one is going to be over boundaries. I guess it never ends. I hope that the right thing is done in terms of the boundaries for this park, but I was glad to see it in.

The north Leslie, Richmond Hill, has been called the most threatened site in Ontario. This one was about half, as I understand it, in the greenbelt legislation. The reason why it's called, as I understand it, the most threatened site in Ontario is because—I'm getting this from the Ontario Greenbelt Alliance hot spots. These were hot spots that they put out to the public and to the government, asking that all these be included as being protected under the greenbelt.

About the north Leslie, Richmond Hill, site, they say, "Protecting our water quality depends on protecting the sources of our water. A massive new subdivision is proposed on the headwaters feeding the main branch of the Rouge River. This is one of the most environmentally sensitive and threatened areas in southern Ontario. Developers are proposing 6,000 residential units, as well as industrial and commercial buildings (including big box stores) built on and adjacent to provincially significant wetlands and headwaters. The site is located a stone's throw from the controversial plan to build 5,700 houses on the Oak Ridges moraine."

The government needs to go back to the drawing board and do the rest of the protection that needs to be done there.

Those are some of the problems with the bill before us today. The bill, I think, in many ways achieves many of the objectives the government set out to achieve within this one. I've outlined some of the areas the government still needs to give attention to, because I think those flaws are going to come back to bite the government down the road if they don't deal with it.

I understand that there is some discomfort, among some, with the government having the final say, although



overall I believe people are feeling generally favourable about that aspect of the bill. There are, of course, developers saying—there's no doubt about it, about this and the greenbelt legislation—that this and other anti-sprawl measures will drive up the cost of housing by confining it within a tighter area. I believe that by now this argument has been debunked by many, which is a good thing, but I'm sure we're going to hear that time and time again, especially around the greenbelt and other legislation that's coming forward.

I would say that in general the environmental and planning benefits of the bill, perhaps, for me, outweigh the concern about cabinet having the final say, but that is why, having said that, I proposed an amendment to ensure, since cabinet will have the final say, that it's covered by provincial policy, in particular development applications.

I guess one of the things against everything else that's happening: This bill has a fairly low public profile; it's a planning act, for heaven's sake. But for anybody who's paying attention and wants to see sprawl dealt with in the province, environmentally sensitive land dealt with and prime agricultural land dealt with, all of those things, this planning act is absolutely key. It has to be passed, and I can only say I regret very much that the government didn't accept my amendments.

**Hon Mr Gerretsen:** We had better ones.

**Ms Churley:** No, you didn't have better ones. Don't tease the bears over here. I'm getting to the end. Your amendments didn't work at all. They didn't deal with some of the very specific problems, Minister. The ones you did bring forward were only half measures. Some of the problems identified by the—

*Interjection.*

**Ms Churley:** It's true.

**Hon Mr Gerretsen:** You were running out of steam.

**Ms Churley:** You were helping me out here. Oh, yes. I'm running out of steam; you're right. You got me all riled up again. Thank you for doing that.

Some of the amendments you did make, seriously, Minister, in response to some of the deputants were only half measures to deal with some of the problems I outlined, and some of the specific areas that I talked about today you didn't deal with at all. I believe, out of all of the things that I said, we need to see the provincial policy statement as soon as possible, because this bill and its success—the new wording, “having regard for,” instead of “be consistent with,”—hinges very much on what that new policy statement says. So we are looking forward to seeing that.

1630

My throat gets sorer and sorer, but I believe I've managed to say most of what I needed to say regarding the good things about this bill and the bad things about this bill. I'll say in closing that we will be supporting it. In fact—I don't know if the minister heard at the beginning; I'll say this again—it has components of the NDP green Planning Act that you've been able to benefit from. I think we can all say at times that work from

previous governments has made a difference. That work made a difference and the government could rely on a lot of the work that was done at that time. It's good to see some of this very strong policy being brought back; no doubt about it. Under the Tories, under their very regressive Planning Act, some terrible things happened in this province. I'm happy to see that the government was able to rely on some of that information.

I want to say to the government that I hope very much they will look at some of the issues I've outlined today and in committee, and take another look at it and see if there's not some opportunity to improve upon the bill and make it even better than it actually is.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

**Mr Arthurs:** I'd really rather speak on democratic renewal for the next two minutes, because no member should be put through what the member from Toronto-Danforth was put through, and that's to have to spend an hour speaking on any bill. I'm pleased she only felt an obligation to take 58 minutes and, I think it was, 15 seconds, but I'm not sure; maybe it was 45.

**Ms Churley:** I enjoyed every minute of it.

**Mr Arthurs:** I'm sure. It's just that I think an hour is a protracted process; maybe that's for another day on democratic renewal.

On Bill 26, I had the chance yesterday, I guess it was, to speak briefly about a situation in Whitby some years ago, and I kind of want to follow that theme in the minute or so that I have available and talk about what happens when developers are in a position to lead development outside the urban boundary, when there are not those constraints, when they're able to initiate or make an appeal to the Ontario Municipal Board in the absence of municipal support or, at the very least, the absence of any interest in the municipality to even pursue the process. This bill is going to make some change to that that will be appropriate and effective.

There were two projects that occurred within my riding now—at the time, I wasn't the member; I was the mayor and a member of the regional council—and both of those are in Uxbridge. One was, again, the Gan Eden project, and it will probably surface again as part of the greenbelt, the land swap scenario with Seaton and some developers. How that ever got into the process is well beyond me. It's outside of any urban boundary, it's away from any urban area, it has no capacities for service, it's environmentally sensitive, and how it ever got into the process of potential for urban development—the OMB—and thus into the land swap is really a mystery. There was that particular project and there's another one called Sandhill. Maybe I'll speak to that for another two minutes on another day. But it has cost the municipalities of Uxbridge and Durham hundreds of thousands of dollars in legal expenses before that—

**Mr Garfield Dunlop (Simcoe North):** I'll be speaking myself in a few minutes on the third reading of this bill, but I would like to very briefly make a few comments about the member from Toronto-Danforth's one-



hour leadoff on third reading. I think it is important to note that she has made, not only in her speech today and in committee, but in her previous actions on behalf of her caucus as well, a very passionate plea for what she and her caucus believe are very positive moves for the province.

I think she brought out a very strong point when she talked about this government, which talks about democratic renewal. There has really been no democratic renewal shown in the fact that they wouldn't listen to any amendments by either of the two opposition parties. That's a scary thought.

The Premier just last Thursday made an announcement on democratic renewal, thinking that we're living in a whole new world and all this garbage that he likes to spew out of his mouth when he really means nothing. They turn around and it goes to committee and in fact nothing is even considered by the committee made up of a Liberal majority. That sends the wrong message, because there was a lot of opportunity in Bill 26 to allow different amendments. The government did not listen to any of the NDP amendments and certainly didn't listen to any of the Conservative Party amendments. I think that's sending a strong message to myself. I will not be supporting the bill because of that.

#### *Interjections.*

**Mr Dunlop:** In spite of the fact I'm being heckled already, before I even start my speech, I can tell you I have a lot of personal reasons in my past political career to consider this.

**Ms Andrea Horwath (Hamilton East):** It's my great pleasure to rise to make comments on the leadoff speech by my friend and colleague from Toronto-Danforth. As you know, she's very well respected in environmental circles, not only in her own community but across this province. She's done some great work and I respect her opinion very much, as well as her ethic in terms of looking at the bill and honestly saying to our caucus that there was a great deal to support and pretty much from day one, as she mentioned, working with our dearly well-thought-of friend Fred Gloger, who unfortunately passed away a couple of months ago, working very diligently with him to come up with what they thought would be some extremely important, fine-point amendments that they thought should be brought forward. So from day one, members in this Legislature, particularly the government side, would be pleased to know that we have always spoken very positively about this bill. We welcomed it. But we did believe there were perhaps some minor things and maybe some major things that would only serve to increase the effectiveness of the legislation.

As you know, the member for Toronto-Danforth already brought those specific issues up in her speech earlier. I think there was really an opportunity to make some movement there. It's unfortunate that wasn't done. But I do expect that at the end of the day we will likely support what we have in front of us with the hope that the government will see to some further amendments as time goes by.

Not unlike the speaker from Pickering-Ajax-Uxbridge, I too come from a community where leapfrog and greenfield development has caused severe problems to my municipality. I hope this bill will change those kinds of things.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm pleased to stand and indicate my support of Bill 26, and I'm pleased to thank the member opposite for her support and her helpful comments.

Certainly, this legislation, although at times it may seem a bit distant from those in our community—I remember sitting down with members of local rate-payers' organizations in advance of the last election and talking to them about the changes they wanted to see in this process. I was pleased on behalf of the minister to be able to host a large community consultation in Etobicoke to talk about what Bill 26 would bring to our communities. The message I gave my community at the time, and one which speaks somewhat to the member's comments about democratic renewal, is that this legislation is about a renewal of the planning process, an opportunity to give our local communities a stronger voice, which is something they've asked for for a long time, and a way to put in an accountability process as we go through a planning process.

As a litigator, I had some peripheral involvement with planning issues and I know the detail that is put in as communities plan for safe, healthy, livable communities. It is imperative that the processes that take place after that plan is put in place continue to give communities a strong voice. The strong communities act addresses some of the concerns and many of the concerns that local communities have brought forth when they said they haven't had sufficient say on local planning issues.

**1640**

So in that way I'm pleased to support the fact that we are going to give an increased time availability for those community groups and municipalities to review planning applications before they're appealed, that we're going to make sure that the voices are consistent with and plans continue to be consistent with provincial policy statements.

All of that, I think, gives a renewal to the planning process, a strong local voice, and I know it's one that the community in Etobicoke-Lakeshore wants to have.

**The Acting Speaker:** That concludes questions and comments. The member for Toronto-Danforth has two minutes to reply.

**Ms Churley:** Thank you, Mr Speaker. I think I can manage two more minutes, but I could use some water.

I wanted to thank the members for Simcoe North, Pickering-Ajax-Uxbridge, Hamilton East and Etobicoke-Lakeshore for their comments.

One of the things that was said was that I didn't really need a whole hour to talk about this bill. I hope you're not going anywhere with this—

#### *Interjection.*

**Ms Churley:** No, I didn't have a whole lot of trouble. It is only because I have a sore throat. Anybody who has



known me for a while knows that I have no trouble speaking to bills for an hour or 90 minutes or whatever it takes.

*Interjection.*

**Ms Churley:** OK, good, because I think that is an important opportunity in this Legislature, for members of the opposition to be able to speak at length, especially in their critic areas, about bills before us. I do think that no matter who's in power and who's in opposition, the opposition plays a very, very important role in pointing out—that is our job, to point out deficiencies and problems, even when, as in this case, we are supporting a piece of legislation.

And that is one of the things that I sometimes find disappointing. I mean, I stood up and pointed out and read some things from Hansard about the NDP green Planning Act that we brought in. I haven't heard a Liberal, not one Liberal, give any credit to the former government in terms of the work that it did, one of our key pieces of legislation that we worked very hard on and I know this government was able to rely on. And then there was that awful thing that happened in the middle. I understand that these guys are going to vote against this bill, when it is actually trying to bring back some of the green components of the bill the NDP brought in. So you know, Liberals voted against our green Planning Act, and I bet they are embarrassed about that now. And you guys are going to end up being embarrassed if you vote against this bill today.

**The Acting Speaker:** Further debate? I recognize the Minister of Municipal Affairs.

**Hon Mr Gerretsen:** Let me first of all say, you know, the member felt extremely badly that she only had an hour to speak on this bill; how do you think I feel? I've only got 20 minutes to speak on the bill.

**Ms Churley:** You can have longer.

**Hon Mr Gerretsen:** No, I've only got 20 minutes to speak on it.

But you know, I didn't have an opportunity to speak yesterday, because I was out in the Niagara area meeting with many mayors, councils, the wine council, the grape growers etc, to talk about our greenbelt legislation that has been talked about quite a bit during the debate that has already taken place here. It's a very important act, and I certainly, for one, would hope that all parties in the House recognize it as such and will give the bill a third reading fairly soon so we can get on with it.

But before going on, let me just thank my parliamentary assistant, the member from Lambton-Kent-Middlesex, and the member from Guelph-Wellington for actually starting the leadoff on this debate. As you know, in the House it is normal practice for the minister to start the leadoff debate, and then the parliamentary assistant takes over. That didn't happen on this bill because of those circumstances, but they did an excellent job.

Let me tell you the other side of that, though. The one thing it does give a minister an opportunity to do is to actually listen to the speeches that the official opposition and the third party give on the bill so that I get an

opportunity to respond to some of the concerns they have raised, which otherwise quite often we don't get an opportunity to do, because under our rules you can only speak on a bill once, other than in the quick responses that come, replies etc.

Now, I have some prepared notes. We all know, as does everybody who has been a minister or has been on this side of the House, that when you're a minister, they give you prepared notes to make sure that you stay on message and that you don't say anything you shouldn't say. So I will go through those, and then hopefully I will have enough time to sort of deal with some of the comments.

Let me just deal with the very first issue raised by the member from Toronto-Danforth, about the fact that we should give credit to other people with respect to this or any other bill. You know, let's be realistic about it. Most of the bills that come to the House—and this is certainly one of them—are not starting from scratch. We are building on the public policy that has been developed in this province in a whole variety of areas. In this case, we're talking about planning legislation.

When I go back some 30 years, since my first involvement with the Planning Act, there have been successive changes made. We feel, as a government, that the changes that were made by the last government weren't good changes. They basically took powers away from municipal councils, they took powers away from the elected people, and gave them to the Ontario Municipal Board, in a lot of cases, or to the development industry, when they should be in the hands and control of elected people.

That's why we're changing back and also improving this particular act, having been built on originally by the Davis government, the Peterson government and the Rae government. If those governments want to take credit for a lot of the things that are still in the Planning Act, so be it. I'm not going to argue about that at all. The changes that are made to public policy in this province are an incremental thing in the vast majority of cases, and this is one of them. I want to give all the former governments that have been involved in providing relatively good planning acts to this province their due credit for that.

Now I've got to start reading from my prepared notes, so that at least we can deal with the substance of the bill. Let me first of all thank all the members of the committee, including members of all the political parties—the opposition parties, as well as our own party—for their active involvement in this bill, both during second reading and committee debate and now during third reading.

Let me also say, because both the member today and the municipal affairs critic for the Conservative Party talked yesterday about the fact that no amendments were being accepted from this party or that party, that a quick reading and a look at the act will tell you that, as a result of the public consultations we had after second reading and as a result of the representations that were made to us by stakeholder groups, by individuals, by municipalities,



by developers, by environmentalists etc, a whole number of changes were made to this bill. In my quick look at this bill, there were at least 10 substantial changes made as a result of the public consultations we had.

It could very well be, in a lot of cases, that there was similar wording between some of the opposition changes that were suggested and what we had. The bottom line is this: As a result of the public consultation process, we have a better bill that will look after the good planning of our communities in Ontario. That's the first thing I want to say. Amendments were accepted, and it wasn't a done deal right from the very beginning.

Let me clarify a few things that have not been adequately explained about Bill 26. One of the proposals deals with matters of provincial interest—I know that Mr Hudak made a big issue of this yesterday. Bill 26 would allow the province to confirm, vary or rescind a decision of the Ontario Municipal Board on official planning and zoning matters where the province had advised the OMB at least 30 days before the hearings began that a matter of provincial interest may be adversely affected. What this means is that the province could declare a provincial interest where, in its judgment, the protection of ecological systems and agricultural resources, the supply and conservation of energy and water, and the efficient use of communication and transportation services, among others, would be adversely affected.

There is a concern that with the declaration of provincial interest, final approval will be left with the cabinet. We heard that yesterday; we heard it during committee hearings. Another concern is that the people of Ontario would not have access to the government's reasons or justifications. Well, let me just quickly respond to those concerns.

A declaration of provincial interest was first introduced in the 1983 Planning Act. It is not a new provision. It was first introduced by the Bill Davis government, adopted by the Peterson government and then by the Rae government. It existed between 1983 and 1995, for some 13 years, and during that period of time it was only used on four occasions. With the proposed changes for official plan amendment zoning bylaws and holding bylaws, the minister will have the authority to declare a matter before the OMB to be of provincial interest. But as I mentioned before, in the past it has only been used on four occasions during a 13-year period of time.

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If so declared, the OMB would hear the matters and its decisions may be confirmed, waived or varied by the Lieutenant Governor in Council. The province is accountable to its citizens and the declaration of provincial interest is a means to ensure that the viability and strength of Ontario's communities are maintained—and I believe we're all interested in that.

To ensure everyone understands why the province has made a declaration of provincial interest, we are proposing an amendment that would require the government to provide information to the public about the minister's rationale in declaring a provincial interest. That is in the new act, as amended.

Another provision under Bill 26 would allow the Minister of Municipal Affairs and Housing to make a regulation relating to applications already in progress, or transition matters. This addresses concerns that planning applications may be at different stages in the approval process if the bill were passed. We recognize that we need to protect the interests of the public, because the provisions of the bill could possibly apply to matters already in process. As in other provisions under the bill, our goal in preparing transition regulations will be to ensure certainty, transparency and clarity in the planning process.

Let's just give you the other main proposals under Bill 26. They include, first of all, increasing the timelines for reviewing specific planning applications, in particular with respect to official plan amendments, which are in most cases major changes in the municipality's approach to its overall development process. Secondly, it eliminates an applicant's right of appeal to the Ontario Municipal Board for alterations to settlement area boundaries not supported by municipal councils. Councils should be the organizations, the duly elected people, that determine where their urban boundaries within a municipality are. Thirdly, it would change the implementation standard so that decisions on planning matters are consistent with provincial policy statements that are issued under the Planning Act. I'll have more to say about that later.

Our government recognizes that our current planning system needs to be improved. Over the past years, there has been a growing perception that the Ontario land use planning system has not been working as effectively as it should. Our government intends to reform the land use planning and development process to support our goal of stronger and better communities.

If passed, Bill 26, the Strong Communities (Planning Amendment) Act, 2004, will be the government's first step toward planning reform. The proposed act will boost local democracy and bring greater accountability and transparency to the land use planning system. As part of the planning reform initiative, we want to give municipalities and the public a real voice in the way their communities grow and prosper.

Over the summer, our government, led by the Ministry of Municipal Affairs and Housing, held stakeholder and public discussions across the province. The discussions focused on the proposed changes to the Planning Act. They also focused on draft policies of the provincial policy statement that were referred to by, I think, members of both opposition parties earlier. I would suggest that anyone who wants to see the provincial policy statement, the draft statement, click on the ministry Web site and take a good look at it, because there are some significant changes that we are proposing. The provincial policy statement will form an integral part of the overall planning system here in Ontario. Discussions also focused on implementation tools that people feel are needed to facilitate better and stronger communities; and the role of the Ontario Municipal Board in the land use planning system—we've put out a discussion paper on



that. It's been well received; we've had some excellent comments back on that. And early on in the new year we will be starting Ontario Municipal Board reform activity, as well as what additional planning changes may be needed.

Ministry staff received over 600 submissions through town hall meetings, workshops, postings on the EBR and ministry Web sites, e-mails, letters and position papers. The consultations ended on August 31, but I notice some more came in during the month of September and they will certainly be considered as well. We want to simply bring back local accountability and transparency to the land use planning system.

Our government respects the authority of municipal governments and believes they are in a better position to make the best decisions on urban boundaries for their communities and their constituents. We want to ensure that important provincial land use planning policies are clearly spelled out so that vital provincial interests are protected for the benefit of all Ontarians. These land use policies are spelled out in provincial policy statements, the complementary policy document to the Planning Act that embodies good planning principles and seeks to protect the public interest.

The PPS is reviewed every five years to ensure that the province's land use policy direction responds to key issues that affect our overall well-being. These include creating strong, livable and healthy communities by promoting infill and intensification—and we've had quite an interest in that. Infill and intensification, particularly along major transportation and transit routes, is an integral part of the places to grow and the greenbelt legislation that we're about to pass.

The four million additional people that we expect in this province, most of whom will be living in the GTA, over the next 30 years have to be accommodated—the kind of sprawl that we've had over the last number of years isn't only bad for people, but it's bad for our economy as well—supporting a vibrant and strong community through employment opportunities and protecting the environment.

Our government recognizes that more actions may be required in developing the framework for a land use planning system that is responsive to Ontario's changing needs, and the Strong Communities (Planning Amendment) Act that we're dealing with here today is but the first step to achieving this goal.

When we came into office, the province made a commitment to meet the challenge of providing Ontarians with a quality of life that is second to none. The province is working toward real and positive change that will make Ontario strong, healthy and prosperous. Quite simply, it's time for well-managed, planned growth.

Currently, our proposed changes to land use planning address high priority concerns. But we're not stopping there. There will be further reviews to the Planning Act, and there will be more fundamental reforms proposed to the planning system. These reforms, if passed, will bring in fundamental change to land use planning in Ontario.

We are also providing and working with our communities with additional tools to help deliver the services that Ontarians expect and provide an environment that is safe, clean and healthy for the people who live and work in these communities.

We are embarking on a new era of co-operation between the province and municipalities by giving our democratically elected local governments the planning authority that rightfully belongs to them. Our government's new focus on strong communities demands a new approach, a provincial-municipal working relationship that values input from each side and draws support from the people served by the two levels of government.

Over the last eight years, Ontario's municipalities have faced many challenges. They include uncontrolled development, gridlock, endangered heritage and water resources, loss of green space and unhealthy air. They have led to negative environmental impacts and have hurt our economy. We are committed to building safe, strong and livable communities and providing communities with the tools to develop and sustain them.

We can no longer simply allow uncontrolled development in Ontario. We need the reforms to land use planning that will give our municipalities the tools to grow smart and the ability to grow strong. Ultimately, the strength of Ontario will be measured by the strength of its communities.

In the three minutes I have left, let me just talk to you a little bit about some of the other issues that were raised here. Let me go back to a comment that was made by the member from Toronto-Danforth as to why Simcoe county, for example, was not included in our proposed greenbelt legislation.

**1700**

In the simplest terms, I suppose one could say it wasn't contained in our election platform last year. When we studied the greenbelt, we went on the basis of looking at those lands that were identified first in our platform. But secondly, I think what the people, particularly of that part of Ontario, should also be aware of is that there is a major study going on right now to deal with the whole water management situation in Lake Simcoe, which the Ministry of the Environment is deeply involved in, to basically deal with the water conditions as they exist in Lake Simcoe. There's a major concern that there is simply too much sewage going into Lake Simcoe on an ongoing basis and that it's destroying the lake. So before any other developments of a major nature are allowed in that particular area, we want to know what the results of that study are and we want to know how those issues can be rectified.

The other thing people should be aware of is that we have made a concerted effort over the last six months to meet with the political leadership of all the various communities in the county of Simcoe to help and assist them in their overall planning process. It's my understanding, from having met with the political leadership there, with the warden and the various reeves and mayors of that area during the AMO conference in August, that there



have been further meetings they've held with the ministry since then and that those discussions are going extremely well.

We are just as committed to dealing with the situation as it relates to the county of Simcoe as it does to the rest of the area we're proposing the greenbelt legislation in. We should be aware of that and the people in that area should be aware of that.

As I indicated before, we simply feel it is important that the official plans of local municipalities take into account the provincial policy statement and that any official plan amendments be consistent with the provincial policy statement. I know some will argue that's taking away from local autonomy. We don't look at it that way at all. I believe in local autonomy. On the other hand, I think it's also extremely important for the province to set the overall direction for where development, how development and the conditions under which development can take place over vast areas in this province. That is specifically the type of direction municipalities are provided with in the provincial policy statement and in the proposed greenbelt legislation that I hope will be adopted soon.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I'm pleased to be able to rise and comment on the leadoff speech by the minister. It's great to see a minister taking the full 20 minutes. Most of them have only taken 15 minutes in their leadoff speeches this session so far.

I'm really pleased to hear you at least acknowledge that Simcoe county exists, because I'm going to refer quite a bit to Simcoe county in a few minutes' time.

I think the minister brings forward some good points, and I know he's sincere in his efforts to make sure this legislation is passed. I think, like every minister who has ever brought forth a Planning Act amendment, he hopes it will be implemented across the province without any problems. Of course, that involves a lot of consultation and a lot of work with the different municipal councils across the province.

I really don't have a lot to say, as I will make all my comments in the 20 minutes I have coming. Although I told him a little earlier that I can't support this piece of legislation because I think there are some areas we need to address, again, I think that like almost all the ministers of municipal affairs and housing I have seen in my 24 years in municipal and provincial politics, he is sincere in his attempts to make sure the legislation works. I'll look forward to my comments in a few minutes.

**Ms Horwath:** I too want to congratulate the minister on the leadoff speech he gave this evening. I think it's the case that the legislation will be very effective in many ways.

Certainly, coming from the municipal sector myself, having served on the city of Hamilton council for seven years, it became very clear that there were problems with the planning regime. In the short time I spent on city council, we saw a number of things occur. One of the first things that occurred very shortly after I was first

elected, and had really no context for planning issues whatsoever, was a leapfrog development that had been approved by the previous regional council, when there were two tiers at that time. It was under development and it was not really a very positive thing for that community, and it still is not.

We still have significant challenges around servicing in many areas of the city, and quite frankly there have been a number of urban boundary expansions. Most people in our community, except for the developers, of course, would say that they were unnecessary, because our urban boundary had not been built out to the edges. Again, when these kinds of occurrences take place, municipalities are strained to provide the appropriate services, and not just the hard services, not just the water and sewer pipes; we are seeing more and more pressure now for schools to be built in these greenfield areas. Then, of course, there is pressure for schools to be closed in the urban centres. So we're having great struggles in our community as a result.

I look forward to the passing of this, finally, its implementation, and then the time to look at whether some of the amendments we put during this process may in fact be something for the future. Granted, they're not going to happen this time around—that's unfortunate—but hopefully the minister will be open to them as time goes on, if the legislation requires.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I just want to add to the comments that have already been made. The minister spoke earlier about the fact that he has been speaking to various councils and mayors in the last day and a half that he has been out in the greenbelt area. I think that's very indicative of the approach that the McGuinty government has taken to changes in policy. We want and value the input of the public's opinions in these things as we move forward on policy changes.

We certainly appreciate the support the NDP has given us on this particular bill. The member from Toronto-Danforth spoke about the issue of building on previous policies, and it's very true. All policy is actually an effort, and changes in policy are just an effort to improve upon and respond to changes in circumstances. That very much is what we are trying to do in this case.

As I said, we also very much believe in the need to hear from the public on this, which is why in Bill 26 we talk about adding and extending the amount of time the public has to respond to changes in planning. One of the things I found as a municipal councillor was that very often citizens' groups had concerns about proposed changes in planning, but these groups very often are volunteers with very few resources, and they are trying to deal with very complex matters. They need more time to respond and do the research so that they can fully understand the matters that are before their municipal councils and speak in a knowledgeable way about the issues that have been brought to them by developers and those proponents who want to make changes to planning.

**Hon Jim Watson (Minister of Consumer and Business Services):** I rise to support this piece of legislation, Bill



26, and I want to congratulate the Minister of Municipal Affairs and Housing.

One of the interesting things about being a former municipal politician is that you do have an appreciation for this particular piece of legislation that is long overdue. As I look around this chamber, I see so many former municipal councillors, including our Minister of Municipal Affairs, who was the longest-serving mayor of Kingston; I was mayor of Ottawa; we have a former mayor of Pickering; a former mayor of Rockland over there in Mr Lalonde. It does bring a different perspective to the debate. That's why I'm very pleased with the work that has been done on this bill. It sets the ground rules and makes it abundantly clear what developers' and municipalities' roles are. I think the member from Simcoe is a former warden of his county, if I'm not mistaken.

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I'm very pleased to support this bill because it also allows for greater public input. One of the frustrations individuals have when they are appearing before a planning committee of a municipality, when a major zoning change is taking place, a change to the official plan—we have to make sure that these individuals, the community association leaders, have the proper time to prepare. Some of the great community associations in my riding—Woodpark, Carlington, Central Park and Crystal Beach—these individuals are all volunteers. They need a little bit of extra time to prepare so they can represent their constituents, as developers represent their point of view, as cities represent their own official plan.

I congratulate the Minister of Municipal Affairs and Housing for the good work he's done on this bill and I look forward to seeing it implemented very shortly.

**The Acting Speaker:** That concludes the time available for questions and comments, and I guess we move on. Oh, I'm sorry; he's standing. I recognize the Minister of Municipal Affairs and Housing for two minutes in reply.

**Hon Mr Gerretsen:** I'd like to thank all of the members who spoke: the members from Simcoe North and Hamilton East and my parliamentary assistant from Lambton-Kent-Middlesex.

I would like to correct the Minister of Consumer and Business Services—not correct him, but he indicated that I was the longest-serving mayor of Kingston. We should take that out of my bio at some point in time, because it really wasn't that long. It was only eight years. I guess the mayors don't last too long in that community. But it's a fantastic community to represent, both as mayor and as member; let me absolutely say that.

He also forgot that we actually have in the audience here today the member from Pickering—

*Interjection.*

**Hon Mr Gerretsen:** Yes, but not only that, Mr Arthurs was really and truly the longest-serving mayor of Pickering, having served in that capacity for some 15 years. May he last at least as long here as he did in Pickering as mayor for that period of time.

This is a very important piece of legislation, but as I indicated before, it is really only one piece of the total planning puzzle, if I could put it that way. We have our greenbelt legislation, which is extremely important. Not only have I had an opportunity to speak with many people over the last couple of days, but last week I had an opportunity as well to go to two of the meetings we had in which we consulted broadly with people in the Burlington area. There must have been 300 to 400 people there. The night before, last Monday night, I was at the Science Centre here in Toronto and there were at least that many people as well to give us their input on the greenbelt legislation, which people are extremely interested in. Not everyone supports it, but I think the vast majority of people support it. Even those people who don't support it in its entirety realize that we have to do something about the sprawl situation.

Let me just thank everybody and hope they will all vote for Bill 26.

**The Acting Speaker:** Further debate on Bill 26.

**Mr Dunlop:** I'm very pleased to be able to rise today and talk for 20 minutes on Bill 26. I may not last 20 minutes. Like Ms Churley, I've had a bad cold for the last couple of weeks.

Of course, it's third reading debate and this piece of legislation will pass. This is, I understand, the minister's second bill to get through, so we have to compliment him on that.

I'm concerned with Bill 26, as I am concerned with Bill 135, the greenbelt legislation. I guess I'm being more selfish, and I'm going to talk a little bit about my history with planning acts and how Bill 26 and Bill 135 may affect an area that the minister mentioned, the county of Simcoe.

I should say that I'm actually filling in today for Ms Julia Munro, who was here with us last week and is not able to be here today. She was the critic in this particular ministry until John Tory became our new leader. She now has a new role, but she did a lot of work on Bill 26. She's doing another critic's position now. Of course, Mr Hudak is responsible for this critic's position right now.

I heard the Minister of Consumer and Business Services and the member from Pickering-Ajax-Uxbridge talk about their past political positions, the same as the Minister of Municipal Affairs. We've got a lot of good people in this House—including my colleague beside me, Mr Hardeman, the member from Oxford, who for years was the president and chairman of AMO—with a lot of experience in municipal affairs and on municipal councils in the past, who bring a lot to this House.

I can tell you right now that I have a lot of respect for people with municipal backgrounds, because I know the challenges they face. I started out as a member of the planning board of a village of 1,300 people. It was the village of Coldwater. First of all, I was a councillor in 1980, and in 1983 I became reeve of that village. Because we had gone through a previous annexation, a small annexation up there, the Minister of Municipal Affairs at that time—I believe it was Claude Bennett—



asked us to do a new official plan. We had done a zoning bylaw; we had to do an official plan.

This village is in a flood plain, designated by the ministry—it's a policy of the Ministry of Natural Resources. The village of Coldwater is in a flood plain. We had an unbelievable number of meetings over this small village, working with the mapping of a flood plain and tying it in to any future construction, how it would have to have special policies set around the height of foundations and we'd have to try to protect the village from any kind of flooding that might take place.

I can remember that I was very frustrated with that process dealing with the Ministry of Municipal Affairs. They always seemed to have these two-hour meetings that took up the whole day, and it was difficult to get a lot of private work done in the meantime. But eventually we got the official plan of the community passed, and some people were very disappointed with it, because of course restrictions were put on some properties.

We just got this over with, and the Minister of Municipal Affairs—I believe it was—

**Hon Mr Watson:** It wasn't Claude.

**Mr Dunlop:** It wasn't Claude. By this time it was the Peterson government, and I think it was a fellow by the name of John Eakins, if I'm not mistaken. John Eakins was the Minister of Municipal Affairs. I believe he was from the same riding—

**Mr Richard Patten (Ottawa Centre):** Lindsay.

**Mr Dunlop:** Lindsay; Laurie Scott's riding today.

He came in and quietly told the county of Simcoe, "You know, there are a lot of problems in the county of Simcoe. There is potential growth here in the future because of the Georgian task force and because of all these potential annexations with the 33 municipalities in the county, and we'd better look at a restructuring," and he put together a restructuring committee that took place over the late 1980s and into 1990.

Then the county of Simcoe, which, because I was the reeve of Coldwater—when I first started in municipal politics, I thought I was only going to last two years, or five years at the most. I never dreamt I would go for 20 years and then turn around and go into provincial politics. We did a complete restructuring because the Ministry of Municipal Affairs said, "You must look at the county of Simcoe, because it will be a major growth area in the province of Ontario."

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I can remember we passed all of the recommendations except the official plan of the county of Simcoe, and I believe it was about 1992 by this time. Guess what? The Minister of Municipal Affairs, the new one, was a fellow by the name of David Cooke. David Cooke came right up to the county council meeting on a Tuesday morning, made a presentation and talked—well, he demanded that we do a county official plan, because he was going to take all the power away from the Ministry of Municipal Affairs and Housing and make sure that we handled all the planning locally in the county of Simcoe.

**Hon Mr Gerretsen:** Did you?

**Mr Dunlop:** Yes, we did. Guess who was chairman of the planning services committee?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Garfield Dunlop.

**Mr Dunlop:** Me. For three years I worked on that plan.

To the minister, this deals with county official plans and public consultations. You know that when you have a county the size of Simcoe and as diverse as the county and with the potential growth areas—by this time it was 16 municipalities. We knew we would have some problems. So we consulted and we consulted and we consulted; public meeting after public meeting after public meeting. Whatever the rule was at that time for the number of public meetings you had to have on a specific amendment to an official plan, we in fact doubled it. If we were asked to have three public meetings on a certain section of the official plan, we went to six meetings. Then after that, we went out and had open houses through all the little municipalities in the county of Simcoe so we could get a lot of public input on this plan.

We were fortunate because we did work very closely with the Ministry of Municipal Affairs and Housing. By the time it got approved, it was—I forget; the guy who was Minister of Municipal Affairs under our government—

**The Acting Speaker:** Al Leach.

**Mr Dunlop:** Al Leach, yes. Al Leach was the gentleman who finally approved the county—

*Interjections.*

**Mr Dunlop:** Sorry. It was Mr Leach. I just forgot because there have been so many Ministers of Municipal Affairs and Housing. He was the gentleman who finally put the stamp on and said, "Yes, you are now responsible for planning in the county of Simcoe."

Why I bring this up today and why I'm so concerned about it is because when I look at the greenbelt legislation which the minister referred to, the greenbelt legislation basically freezes almost—what?—1.75 million acres of land in the greenbelt area that is identified. As the MPP for a riding in Simcoe county, and on behalf of my mayors, deputy mayors and councils, I am very concerned about how the leapfrogging effect will affect the county of Simcoe. We're already seeing a leapfrogging—

*Interjection.*

**Mr Dunlop:** You may want to rethink it, because what we don't want—and I can say this from a selfish point of view—is growth that is getting out of control. In my community, in the riding of Simcoe North, I've got two First Nations: Mnjikaning and Beausoleil. I've got six townships, two towns and a city. I believe those mayors, councils and the county council do a fairly good job of planning. Naturally, there are problems. If you're doing an official plan amendment or if you're doing a zoning bylaw change, we know there are going to be problems. There are always people who don't like the height of a building or who don't like how close a building is to a lot or who don't like the storm water



management plan or whatever it may be, but I can tell you that I have the greatest respect for municipal politicians, because I've been one.

**Hon Mr Gerretsen:** Then how can you be against this act?

**Mr Dunlop:** The minister is asking me why I would be against this act. I am really worried that we're taking it back to the Ministry of Municipal Affairs and we're taking the strength and the power of it.

Through to the minister, we have already seen an example. I can point out to you today the example we've seen in the township of Oro-Medonte, the little community of Shanty Bay. The township approved a lifestyle community with a golf course around it—I don't remember the exact name of it—and the county of Simcoe approved it. It was an official plan amendment. This lifestyle community, a housing development, took place around a golf course outside the small community of Shanty Bay.

At the county of Simcoe, we clearly identified that only growth areas in the county of Simcoe would receive—communities of interest, growth areas, small villages and hamlets, were the only places we would see development occur. What happened was, the ministry came in and said no to the amendment, and that was after the county and the township of Oro-Medonte approved it. So I'm really worried where that takes the other applications and the other plans that are before municipal councils in my riding.

When we look at growth in the GTA, I think of that area out there by Vaughan Mills and Wonderland up the 400—that's the area I travel most—and I've just seen another huge field across the road from the Wonderland area that has been peeled off. All the topsoil is gone. There's a storm water management plan put in place. I can tell you right now that it's under construction. I don't know how many thousands of houses are going in there.

I want to see, in the county of Simcoe, very controlled growth, because we have so many people who move to Simcoe county and to south Muskoka. They're looking for quality of life. They're looking for a clean Lake Simcoe, for a clean Georgian Bay, for good, clean, fresh air and water. If we follow any further course of action that would develop growth faster than the Georgian task force plan that government did in 1973, I'm very concerned how that would affect the quality of life in Simcoe county.

I'm really glad the Minister of Public Infrastructure Renewal is here today, because he brings—

**Hon Mr Caplan:** I'm here most days.

**Mr Dunlop:** Yes, you are, and I compliment you for being here, because I'm here with you, and I know how dedicated you and I are to this House.

But I can tell you that your announcements on—

*Interjection.*

**Mr Dunlop:** No, it's on infrastructure planning, which includes recreational facilities, hospitals. I think you announced, not too long ago, \$100 billion over 30 years, and it's probably going to be \$200 billion over the next

30 years. Just a huge amount of money and time and effort and planning will have to take place in order to allow the infrastructure in these areas outside of the greenbelt to take place.

If I can say anything to the government—and I hope I can say it to not just this government but to John Tory's future government—the one thing I would like to say—

*Interjections.*

**Mr Dunlop:** Did I hit a nerve there?

**Hon Mr Watson:** He didn't do too well in Ottawa last night.

**Mr Dunlop:** Oh, I heard he did really well in Ottawa last night. But I hit a nerve. I'm sorry about that.

What bothers me is that, if we're going to grow strong communities outside of the GTA, what we have to do—

*Interjection.*

**Mr Dunlop:** A glass of water—I've got a sore throat here.

*Interjections.*

**Mr Dunlop:** I should never have mentioned John Tory's name. Every time I mention it in this House, I get assassinated by the members opposite.

I can tell you what's important. The former mayor of the township of Tay was a strong advocate for trying to grow jobs and have some provincial and federal support to grow jobs in the areas where you increase the infrastructure. I know that's not an easy task, because so many companies, if they want to move to Ontario, want to be in a couple of the big cities, like Windsor, the GTA or Ottawa.

I can tell you that if we can do anything right in planning, I think the one thing we have to do is make sure that we have some kind of incentives for municipalities to attract manufacturing jobs in the communities where they're getting assistance on sewer expansions, water expansions, hospitals etc, so that everything doesn't end up just in the GTA. We're old enough in this House that we can all remember when Highway 7 was way outside of Toronto, and now it's just incredible. We've got the 407, we've got Highway 7, we've got all these other huge developments out there. I know every government has said, "We're eating up the farmland, we're doing this, we're doing that," but it continues to happen, generation after generation, because the jobs are here and there's so much pressure put on the infrastructure. We see it every day. If we're traveling down here to sit in the Legislature, if we're traveling down the 400 or if we're travelling in on the 401 either way, we can see the strong growth and the number of vehicles on these highways.

1730

If we're going to implement things like Bill 26 and the greenbelt legislation, we have to know that there's going to be funding to assist municipalities—and it won't be just development charges. It will have to be infrastructure assistance and that the government, under Mr Takhar and MTO, actually comes up with some expansion of these highways.



I think the Ministry of Transportation of Ontario overall has done a fairly good job, but the gridlock is a huge challenge. I would like to see, along with the greenbelt legislation and any of these Planning Act amendments, a plan put in place where there was money provided for infrastructure but, with that, the possibility of job creation in these centres so that people wouldn't have to travel as much to the GTA, not commuting all the time.

I know I've just about used up my time. I never really got to talk to some of the things that I wanted to, but I can tell you that we were disappointed with the amendments. We thought Mrs Munro had put forth some good amendments on this bill, but they didn't accept any of them. That is disappointing. However, they did accept a couple of government amendments. Anyhow, we'll move forward with this. The government is the government; they've got the majority. We're going to defer this vote to tomorrow and it will pass third reading tomorrow.

*Interjection.*

**Mr Dunlop:** You want to pass it today, do you, on a voice vote?

I really appreciate the opportunity to speak to this bill. I'm sorry it wasn't Mrs Munro. She wanted to be here today and I kind of filled in at the last second for her. But I think, because you wouldn't allow the amendments to go through, I can't support it at this point. However, I wish everyone in the Ministry of Municipal Affairs and all municipalities in the province good luck as we try to implement the bill. It's not going to be easy. It's never an easy task, because there's always politics on the councils. There's always the advisory panels and the folks at the Ministry of Municipal Affairs who change jobs and there's a different opinion and a different interpretation of certain parts of the rule. But quite frankly, as we move forward, the challenges of the Ministry of Municipal Affairs—if we grow a strong province, if we grow strong communities, we will definitely need input from the government, not so much in controlling the municipalities but in giving them advice and in giving them funding, as well, to support it.

**The Acting Speaker:** Questions and comments?

**Ms Horwath:** It's my pleasure to make some comments on the speech of the member for Simcoe North. Interestingly enough, some of the things he had to say inspired me to actually speak to the bill myself, so I may take a few minutes to do that when I have the opportunity tonight. I wasn't originally going to because a lot of it, as I've said already, was discussed by the member for Toronto-Danforth earlier today. But I think there are some things specific to my local community that need to be highlighted, so I'll be doing that a little later on.

What the member for Simcoe North was quite clear about is how his community has been challenged by planning decisions and planning issues over the last little while, particularly when there is pressure for expansion, pressure for more urban development, while at the same time pressures come to bear for expansion and more urban development, while at the same time that the

planning processes will make that new development be done in an appropriate way that's sensitive to agricultural lands, sensitive to natural areas, sensitive to existing community and also sensitive to the needs of infrastructure of the various types of municipalities that are in his community. I think that is really the crux of the matter.

Again, as the member from Simcoe North mentioned, this bill had an opportunity to be through committee, and it had some excellent presentations—in fact, I sat through a couple of them myself—from interested members of the community, whether it was school boards that made some comments, community people who made some comments, advocacy groups for local communities that have had some trouble in the past with Ontario Municipal Board decisions, for example. All of those things were discussed in the committee hearing process, and unfortunately a lot of the amendments we proposed weren't put forward. But overall, as I do support this bill, I will speak to it very briefly in a short time.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I wish this bill would have been in place when I was the mayor of the town of Rockland. Let me tell you, this bill is going to give all the necessary tools to the municipalities to plan for a better future for our community.

In the past, municipalities had very little control over the development of their community. Look at the explanatory note: "The bill also increases the time period for making decisions before appeals may be made to the Ontario Municipal Board from 90 to 180 days...." Why are we giving this extra time to the municipalities? Not all municipalities in the rural sector have the personnel in place to do all the research. In the past, what small municipalities had to do was to hire consultants because they didn't have time allowed to them to meet the requirements.

Also, when it comes time for the development of a subdivision or condominium, again, the appeal period will be from 90 to 120 days.

Let me tell you, at the present time, this bill will definitely increase the capacity or the power to the municipality to eliminate or refuse subdivision agreements in Timbuctu, I would say, because very often municipalities are ready to authorize construction in the rural areas. In the end, all taxpayers have to pay for school bus services, for garbage collection, for recreation facilities. But this bill will give protection to the municipalities.

**The Acting Speaker:** Further questions and comments? The member for Oxford.

**Hon Mr Caplan:** He's not in his seat, Speaker.

**The Acting Speaker:** Oh, you're right, and I apologize. The member from Oxford needs to return to his seat. He was actually in my seat. That's why I was confused.

**Mr Ernie Hardeman (Oxford):** I want to commend the member from Simcoe North for a presentation as it relates to development in rural Ontario and what this bill in fact does. I know he spoke quite extensively with great knowledge about rural government and so forth.



One of the things that came out of the debate was when the Minister of Municipal Affairs was suggesting to the member that in fact this was giving more power to municipalities. I really think that is totally incorrect. The minister may remember that I was with the committee for AMO when in fact Bill 163 was put in place by the NDP government, which used exactly the same words: "shall be consistent with." At that time, a third of my city of Woodstock was on a gravel base, and having to be "consistent with" the provincial policy statement meant no further development could happen there regardless of how much the city wanted to do it because the provincial policy statement says that we have to protect our non-renewable resources.

I think what they are really doing with this is implying that we're giving power to municipalities when in fact being "consistent with" provincial policy statements says that the Minister of Municipal Affairs can put policy statements in place with no consultation, with no regard for anyone, and from there on, all municipal planning must be consistent with that. In fact, we have taken away, I suppose, the need for a planning commissioner in any municipality because the Minister of Municipal Affairs is going to do Ontario's planning. That was the one thing that AMO was most opposed to in the NDP government's Bill 163. I was there and I remember that very distinctly. I can't believe this Minister of Municipal Affairs would put that back into this legislation.

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**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'm very pleased to rise and speak in favour of Bill 26.

**Hon Mr Caplan:** That's a relief.

**Hon Mrs Chambers:** There should be no doubt.

The member from Simcoe North actually made reference to his colleague Julia Munro, and the fact that she would have liked to be here to speak on this bill. I would like to mention that on December 15 last year that member said, "I think one of the things that is critical in understanding even the word 'planning' is that it requires decisions to be made with a long-term vision and a plan." That was a very wise comment from that member.

I remember during the campaign that people in my riding of Scarborough East were very concerned about the ability of the OMB to override local decisions. My constituents were really interested in having the opportunity to influence decisions that were made locally for their residents and for their area of Scarborough East.

This is indeed about planning and securing the future. I want to congratulate the Minister of Municipal Affairs for his initiative in this area. Nothing happens properly without good planning, unless of course we are committed to short-sighted thinking. If you want long-term, sustainable solutions, to which our government is so committed, we have to focus on how better to plan for the future. We need to understand that if we don't start now, we will never be able to achieve our goals in this area.

**The Acting Speaker:** That concludes the time available for questions and comments. I will return to the member for Simcoe North.

**Mr Dunlop:** I'd like to thank the member from Hamilton East, the member from Glengarry-Prescott-Russell—I apologize; I didn't realize you were a mayor in one of your previous careers; that's good to know—the member from Oxford, who I thought was the member from Waterloo-Wellington, and then I realized the member from Waterloo-Wellington was actually in the chair, and of course Minister Chambers, the Minister of Training, Colleges and Universities, for all of their comments on my fabulous speech.

I appreciate all the comments that were made. I think what's important is that as we go through this piece of legislation—and it will become law today. I guess all I can do is wish the minister well with the legislation. I know it will pass, and hopefully you can proclaim it fairly quickly, because it has been a while since you introduced it. I think it was December 13 or 14 last year, so it's been almost a year. I hope you can proclaim it and make the bill work.

As I said earlier, it will mean working with the municipalities, working with AMO, making sure the funding is in place. You'll need the funding because it's going to have a huge impact, again, on the leapfrogging effect that's going to take place in another piece of legislation that you would like to ram through before Christmas. We know there's a huge cost to that in terms of infrastructure.

Mr Speaker, I thank you for the opportunity to address the Leg today. Again, it's my privilege to say a few words today on behalf of Julia Munro, who couldn't be here with us.

**The Acting Speaker:** Further debate.

**Ms Horwath:** I mentioned earlier in my questions and comments to the remarks of the member for Simcoe North that I actually decided I wanted to say just a few short things about the bill. One is to repeat or reinforce some of the concerns that were raised by the member from Toronto-Danforth in her lead earlier today, at about 3:30 or 4 o'clock. Those were the issues around some of the amendments she brought during the committee process.

The first one, of course, was that the document refers to provincial policy statements that, in fact, have not quite been developed yet. There has been some concern raised around how that is going to shake out in the future, how we're going to be assured that the provincial policy statement remains consistent with the kinds of things people want to see in terms of progressive planning legislation for the province of Ontario. Again, very briefly, that was one of the issues of concern that was raised earlier.

One of the others is the number of other pieces of legislation, the number of bills, out there that are not being pulled specifically into this planning act, and I will name them. I have already talked about the provincial policy statement. There is the issue of the greenbelt

legislation, the issue of the growth management plan and, of course, the issue of source water protection legislation. If we had a really holistic vision, it would include all of these pieces and they wouldn't be left dangling each on its own, but rather would be one large, integrated vision that would be before us.

The other issue that was raised was the fact that there is no real outline, no exact list of the areas in which the government or the minister could intervene, on which pieces there would be that opportunity. That has been left a bit vague. It has been left a bit open for decisions, and perhaps we're not quite sure where they are going to be coming from, what the yardsticks are and how we are going to measure what the minister is going to deem is in need of intervention. That is a bit of a problem. I believe the member for Toronto-Danforth, from my caucus, the NDP, did put forward in her amendments some specific suggestions around that—unfortunately, again, not something the government took up when they had the opportunity during debate at committee. There were other issues as well that she raised. I think there were six or eight amendments specifically to various pieces of the act.

I want to take just a few quick minutes to talk about how things that are happening in Hamilton might or might not have been, or could be, affected by this particular legislation. One is something I touched on already in the questions and comments section; that is, the extent to which we continue to see in the city I'm from, over the previous government's time in office, extensive pressure on urban boundary expansion that, quite frankly, didn't meet the test in regard to our urban boundaries already being completely built out. Many would argue that at this point we still have between 20 and 30 years of developable residential land available. Unfortunately, the developers had their way, and several times we had urban boundary expansions in the last little while.

The other issue, though, that is extremely important right now is aggregates. When I was debating the greenbelt legislation in this House not too long ago, I raised the same issue. That very evening, ironically, there was a large public meeting happening in the Flamborough area of the city of Hamilton, where there are some grave concerns around the expansion of a quarry. Quite frankly, the people in that community are not only concerned about the effects of trucks and dust and all those things—noise in their neighbourhood—but also the effect of quarrying on the surrounding headwaters and ecosystems. The aggregates are being pulled out of that quarry in a way that people in my community, at least, feel is a significant concern. So the fact that this legislation encourages the expansion of existing aggregate extraction is extremely worrisome, and I know the people in my community would be concerned if I didn't raise that if I had the opportunity to do so.

The other thing is that right now, surprisingly enough, as we speak, in my community over the last couple of weeks we've had blasting on the Niagara Escarpment. We are having a new cut put into the Niagara Escarpment as a result of a road project that we all know and have

probably learned a lot about in the last several years in this Legislature because, quite frankly, it's been an extremely controversial project. The bottom line is, we are blasting the Niagara Escarpment as we speak, and that's something that really, in this day and age, is certainly not forward thinking and that many would say is extremely poor planning and extremely frightening in terms of the environmental effects that it will bring to our city, particularly the effect of putting further pressure on urban boundary expansion, further pressure on greenfield development, further pressure on urban sprawl. Quite frankly, that is something that many, many people in my community are quite concerned about.

The last thing I wanted to raise was that when I had the opportunity to hear some of the delegations that came to speak to the committee, because I sat in for a little while, one of the ones that came to speak was an organization called FUN, which is the acronym for Federation of Urban Neighbourhoods. In fact, the founding meeting of the Federation of Urban Neighbourhoods took place in the city of Hamilton, and many of my local neighbourhood associations when I was a city councillor were the ones who put together the Federation of Urban Neighbourhoods.

One of the things that residents were concerned about and that I don't think has been addressed is the issue of the extent to which regular community people, neighbourhood associations or otherwise, have the opportunity to have the same resources as big developers would have in challenges to the OMB. That one hasn't been raised yet, and I thought it was extremely important to bring that to the attention of the Legislature today.

On that note, I generally, as my colleagues do, support this bill, and I'm looking forward to it being passed into legislation. I'm looking forward to seeing how it can have a positive effect on the future planning of the province of Ontario.

**The Acting Speaker:** Questions and comments? OK. Further debate on Bill 26?

Seeing none, Mr Duncan has moved third reading of Bill 26, An Act to amend the Planning Act. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I wish to inform the House that I have received a deferral slip signed by the chief government whip. This vote will be deferred until tomorrow at the appropriate time, which is during deferred votes.

Orders of the day. I recognize the deputy government House leader.

**Hon Mr Caplan:** I move adjournment of the House.

**The Acting Speaker:** Mr Caplan has moved the adjournment of the House. Is it the pleasure of the House that the motion carry? Carried. Therefore, this House stands adjourned until tomorrow at 1:30 pm.

*The House adjourned at 1754.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Etobicoke-Lakeshore	Broten, Laurel C. (L)	Nepean-Carleton	Baird, John R. (PC)
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Guelph-Wellington	Sandals, Liz (L)	Niagara Falls	Craiton, Kim (L)
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Halton	Chudleigh, Ted (PC)	Northumberland	Rinaldi, Lou (L)
		Oak Ridges	Klees, Frank (PC)

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Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard</b> (L) Minister of Education / ministre de l'Éducation	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
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Simcoe-Grey	Wilson, Jim (PC)		
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St Paul's	<b>Bryant, Hon / L'hon Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

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